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April 22, 1911

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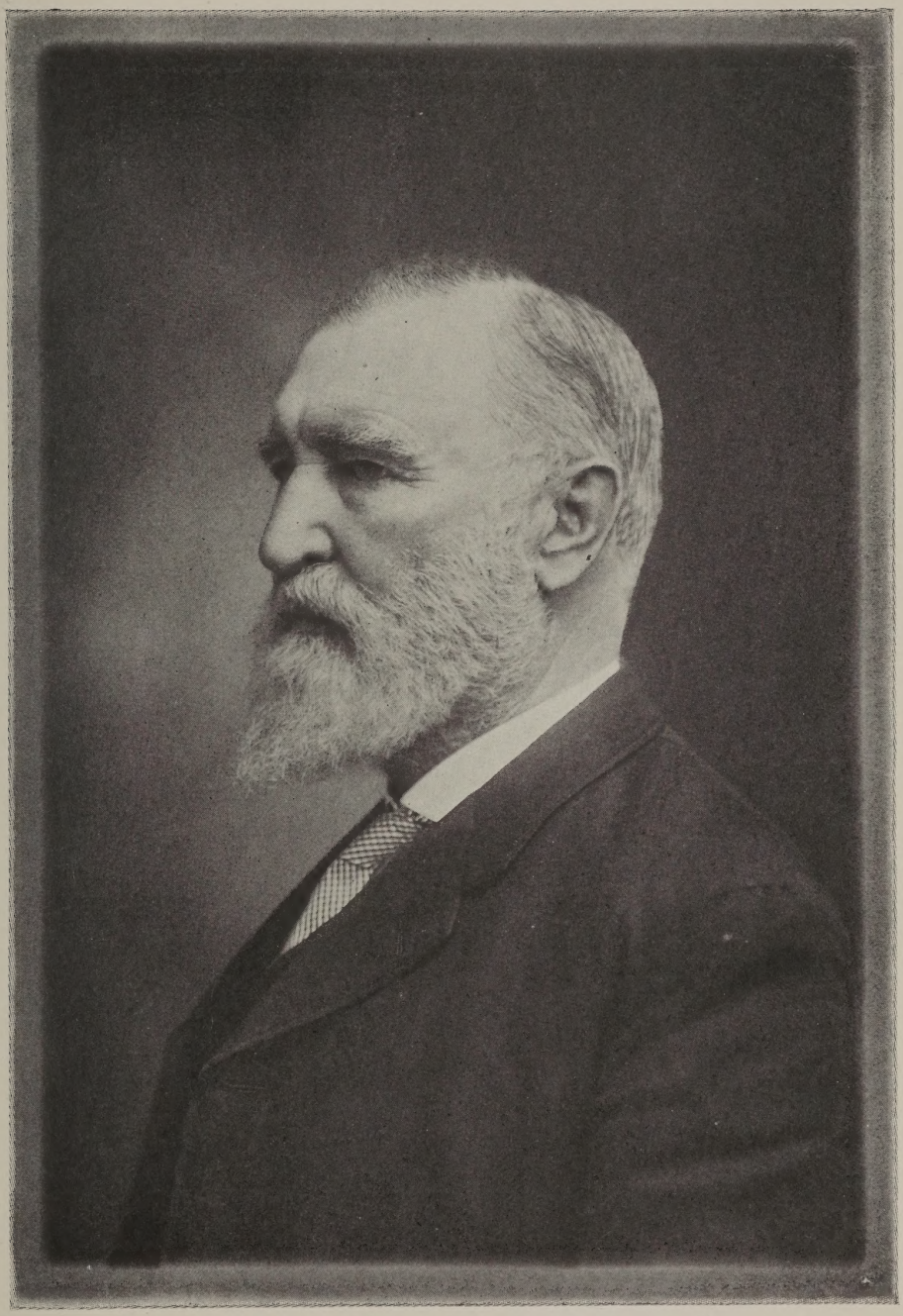
President Mirabeau B. Lamar.



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CONTENTS

ORGANIZATION AND OPERATION OF A LAW SCHOOL, by John C. Townes 261

WHAT THE CLASSICISTS THINK OF THE CLASSICS, by Daniel Allen Penick 284

COWBOY SONGS OF THE MEXICAN BORDER, by John A. Lomax 304

ADDRESSES DELIVERED ON THE OCCASION OF THE PRESENTATION TO THE UNIVERSITY OF PORTRAITS OF CHARLES DURAND OLDRIGHT AND GEORGE W. BRACKENRIDGE:

Address, by M. B. Porter 323
Address, by A. W. Terrell 324
Address, by Edwin B. Parker 331

SOME CAUSES OF THE TEXAS DECLARATION OF INDEPENDENCE, by Eugene Campbell Barker 336

THE UNIVERSITY:

General Notes—
Calendar of the Winter Term at Austin, 342; The University and the Legislature, 343; The Legislative Barbecue, 344; The New Board of Regents, 346; The Visit of President Roosevelt, 349; Professor Phelps's Lecture, 353; Faculty Lectures, 354; Texas Independence Day, 358; Presentation of the Portraits of Charles D. Oldright and Col. George W. Brackenridge, 359; Dr. Ramsdell's Book, 359; Professor Lomax's Collection of Cowboy Songs, 362.

Library Notes 365
The Department of Engineering 367
Matters of Public Interest from the Minutes of the Faculty 369
Transactions of the Board of Regents 372
Student Interests—
Y. M. C. A., 373; Men's Literary Societies, 374; The Curtain Club in "The Miser," 375; The German Play, 376; Social Life, 377.
Athletics 379
Alumni Notes—
A Letter to the Alumni, 380; Miscellaneous Notes, 384.
The Academy of Science 388
Index .....

ORGANIZATION AND OPERATION OF A LAW SCHOOL*

BY JOHN C. TOWNES, LL. D., DEAN OF THE DEPARTMENT OF LAW

CONCEPTION OF A LAW SCHOOL

From discussions which occur from time to time among the teachers of the law, it might well be concluded that three distinct ideas exist as to what constitutes a law school: first, that it is an institution in which law is taught; second, an institution in which law is studied; and, third, an institution in which law is both taught and studied.

It is more than probable that the expressions from which the first and second conceptions are gathered are rather evidences of the heat of debate than of deliberate opinion, and that the real differences among us are matters of emphasis as to which of the two functions, teaching or studying, is the more important and the more to be provided for in the organization of the school and its actual conduct. These matters of emphasis, however, are too important to be overlooked, as they unavoidably express themselves in the practical organization and conduct of each particular school.

CONCEPTION OF LAW

Another matter upon which there are differences which also may be perhaps more apparent than real is, What is the law? What is it that the teacher is to teach and the students are to study? Is it a science, capable of systematization and co-ordination, or is it a confused mass of arbitrary and adventitious, if not inconsistent, rules? Are there fundamental principles which are the matrix of the particular rules of action which we are accustomed to call law, basic ideas from which these rules of action proceed, forcing themselves upon our attention

*Presidential Address delivered at the meeting of the Association of American Law Schools, at Chattanooga, Tennessee, August 22, 1910. Reprinted from "The American Law School Review," for November, 1910.

as standards of propriety in all the varying conditions of life, and of which the announced and seemingly arbitrary rules of conduct are imperfect, though unmistakable, representatives? Or, on the other hand, is the law simply an historically developed series of affirmations and negations, which came into being as the result of human experience, representing no fundamental notions of propriety, but standing for what seems most politic at the time the respective rules are adopted?

Under the first view the law of any people among whom popular government prevails is formulated and announced public conscience, limited by considerations of practicability.

Under the second view, the law is a mass of rules developed by conforming to, and embodying in themselves the experience of the particular people among whom it obtains, representing the growth of the people, rather than its present conscience.

Under these two conceptions are marshaled the hosts which carry on from generation to generation the irrepressible conflict between principle and precedent.

As an individual holds or inclines to the one or the other of these views, so will his conception of a law school and its proper functions be. There are few who deny all ethical basis for law, and perhaps fewer still who maintain that the law represents purely ethical ideas, unlimited and unaffected by historical development and practical considerations. Still, while the great majority of us believe in both ideas, there are important differences as to the prominence which should be given to each in the process of teaching the law. He who stresses the ethical idea will seek to impress upon the mind of his student the propriety of the rule of conduct under consideration, making that the major thesis, and dealing with the empirical as incidental to it; while he who stresses the empirical will treat the subject historically, dealing with the ethical idea as incidental to that.

These different ideas unavoidably enter into the purpose of a law school; and, as every rational effort is largely controlled and determined by the purpose to be attained, consciously or unconsciously they enter into its organization and operation, and influence more or less the conduct of each individual taking part in either.

DEFINITION OF A LAW SCHOOL

It is probably impossible to define law school to the satisfaction of all persons. May I venture to suggest, as a fair compromise statement, that a law school is an institution in which to teach and to study the different rules of conduct promulgated and enforced by political authority and the fundamental principles from which these rules proceed?

ORGANIZATION

How should such an institution be organized and operated? This is a question far too broad for exhaustive discussion on an occasion such as this. All that can be done is to briefly advert to many matters of interest and discuss hurriedly others which demand or at least seem to demand more attention.

CONSTITUENT BODIES

In every law school there are four bodies of individuals whose functions are more or less distinct, though they frequently overlap, if they do not conflict with, each other. These are the general governing board, the administrative officers, the faculty, and the student body. It is probably safe to say that the lines of separation between these several bodies are not drawn with unmistakable clearness in any single institution, and that the indistinct boundaries which do exist between them are in no two institutions absolutely identical, though in most they are substantially the same. In some schools the control of the governing board is very extensive, running down into the details of the work. In others this board deals only with the broad policies of the institution, and, even as to them, consideration is given to the views of the administrative officers and faculty. In some schools the faculty exercises powers which in others pertain to the president or dean. Sometimes members of the governing board hold administrative offices or designated administrative officers are ex-officio members of the governing board. There are few institutions now in which teaching is done by the president; still it is a common, if not

the universal, rule for the dean to do a reasonable amount of class-room work. The lack of complete segregation of these separate bodies is further illustrated by the fact that not infrequently some person or number of persons who are members of either the teaching or administrative force are also members of the student body.

Under such conditions, it is impossible to draw hard and fast lines, and say with assurance that these lines separate the different bodies in the law schools as they now exist. In this uncertainty in the realm of the practical it would be presumptuous to contend that the proper theory on the subject could be successfully announced. The most that can be done is to call attention to the fact that the processes of growth through which our various law schools have passed have resulted in substantial uniformity of function in the various bodies mentioned, though the lines of separation between them are often dim and difficult to trace.

To the governing board pertain the functions of determining and outlining the general policy of the school, of legislating on its broader and more general matters, and of providing for its maintenance. To the faculty pertain the duties of teaching in its various phases and of legislating on the more detailed matters within the general policy as declared by the governing board, but as to which no specific rules have been announced by it. To the administrative officers pertain the function of executing and enforcing the rules made by the governing board and the faculty within their respective jurisdictions.

The functions of the student body need not here be considered.

There is no time for further discussion of the duties of the governing board and the administrative officers. Still I dislike to pass by the administrative officers without one note of warning against the tendency, seeming or real, on their part to exercise legislative functions. Law-making should be done by the governing board and the faculty, and neither president nor dean nor the two in conjunction should undertake to prescribe rules of conduct except in cases of real emergency. Legislation in the great majority of cases will be wiser and more just if the whole faculty have a part in it; but, even if the

rules made by the faculty are no better than those which would be promulgated by the administrative officer, they rest on a broader basis and are better understood and more readily accepted and enforced.

FACULTY

By the term "faculty" as used in this paper is meant the law faculty. It can have no other meaning in schools which have no connection with other departments going to make up the complete institution. In these latter I favor separate departmental government so far as practicable.

The most important matter in the law school is the quality of the teaching and studying done. This depends largely on the character and qualifications of its faculty. It is impossible to have a good law school with a poor faculty. It is almost impossible to have a poor law school with a good faculty. Equipment in other respects can help or hinder greatly, but the paramount thing is the teaching force.

QUALIFICATIONS OF A PROFESSOR

The first thing essential to a good law teacher, that on which all else rests, and without which all else is useless, is good character. I do not mean every teacher of law should be puritanical and straight-laced, for unfortunately these characteristics are sometimes but poor evidence of genuine nobility of soul, but I do mean that every law teacher should possess the sterling virtues essential to genuine manhood in its highest development. He should not have a maudlin sympathy that wipes out the distinction between guilt and innocence, but an enlightened benevolence which recognizes justice tempered with mercy, as true kindness. He should have wisdom to apprehend truly the conditions which exist within and about him, and to discern between the irritating peccadilloes, which are but the exuberance of youth, and those deeper-seated wrongs which show fundamental weakness or viciousness of character. He should have the courage to carry out that which benevolence suggests and wisdom approves, unswerved from the path of rectitude, either by the fear of loss or the hope of gain, unin-

fluenced alike by the thought of popularity or unpopularity, either with the governing board or the student.

We hear much about the teaching of ethics in law schools. This is well. But it is exceedingly difficult to harangue morality into unwilling ears. The best and most effective course of ethics ever given in any law school is the daily life of a faculty whose members are without fear and without reproach. Teaching ethics is good; living ethics before one's classes is incomparably better.

After moral character should come a reasonable amount of legal information; the more the better, provided it be properly assimilated and has not been acquired at the cost of practical common sense. There is no ailment quite so fatal to the would-be teacher as mental dyspepsia, that condition of mental weakness which results from crowding the mind with the unassimilated ideas of other people. No man should undertake to teach secondhand; that is, to be a dispenser of other men's thought, which he has not himself so incorporated into himself as to make it part of his own being. The purveyor of thought of other men undigested by himself is out of place in the professorial chair.

Every law teacher should be an enthusiast, filled with an absorbing and abiding love for the law in general and the topics which he teaches in particular. This love of the law and a corresponding love of his students should be his inspiration. Most of us must live by teaching while we teach, because we must earn our daily keep, but it is exceedingly unfortunate for one's motive in teaching to be mercenary. The high plane in this regard on which some law professors live is demonstrated by repeated refusal to abandon their positions as teachers, though tempted by offers of larger income at the bar or in other vocations.

Another valuable quality is aptness in teaching. This is an exceedingly difficult faculty to discover except by the test of actual teaching. The best guaranty of its possession is found in the combination of the three qualities just discussed—good character, a reasonable amount of duly assimilated legal information, and enthusiasm. He who has these will find some vent for the fires kindled by his love and some means of communicating his spirit to his students.

TRAINING

A most serious question exists as to the best training for a teacher. Should he come direct from the graduating class of some of the better law schools, or should he have had a fair amount of experience at the bar or on the bench? No answer of universal application can be given. Some poor practitioners make good teachers, and we all know some fine practitioners who would be execrable professors. Perhaps the matter may be fairly stated thus: In most instances an individual will make a better teacher for having had both collegiate training and subsequent practice. Yet it often happens that, when we compare two teachers, we find that the one lacking one or the other of these opportunities is superior to the other who has had both. Teaching is largely an individual matter, and it may be said of teachers as of the ancient poets, they "are born, not made."

It is doubtless a good policy in this regard to have a composite faculty, embracing within it some members who have had experience at the bar or on the bench and others who have come direct from the schoolroom. Each will have advantage over the other in some respects, and during his course each student will get the benefit of the different points of view. Each approaches the law and law school from the background of his past experience, and one may be helpful in one phase of the work and the other in some other. Other qualities being equal, he who has had the advantage of practice usually can inspire more enthusiasm in the students by making his subject more real, by personal reminiscences, and statements as to actual legal conflicts involving the points which are usually presented to the students in the form of theory.

SELECTION

Another of the serious problems concerning law schools is, How shall the faculty be selected? Perhaps the most common method is for the governing body to select all teachers of the rank of professor, whether of full or less grade, and for the president or dean, sometimes with and sometimes without the concurrence of the faculty, to select the teachers of less than

professorial rank. The chief advantage of this method is that the professors feel independent one of the other. No one owes his place to the vote of one or more of his colleagues, nor has been employed against the vote of others. Its principal disadvantage is that the faculty who know in detail the needs of the school have no voice in the selection of those who are to supply those needs. The better plan seems to be for the faculty, through the dean, to recommend several persons from whom the managing board shall make the selection. This secures the approval of two separate bodies each fairly competent to judge of qualifications, and gives perhaps as high a guaranty of efficiency as can be obtained.

DISMISSAL

Approaching the question of the teaching force from the other side, no satisfactory method of getting rid of undesirable professors has been devised. To guard against their retention by election for a short term is essentially bad. It introduces an element of uncertainty into the profession which is intolerable. Its tendency is to prevent good men from engaging in teaching at all, and particularly to prevent acceptance of any particular chair offered on such conditions. On the other hand, to depend upon the authorities to remove an unsatisfactory professor is hardly safe. All are loath to take the initiative in such disagreeable matters. In cases of great wrong or such conduct as to occasion public criticism, cognizance of the matter will be taken, but simple incompetency, or lack of fitness hardly amounting to incompetency, is almost beyond redress in this way, and yet a faculty and an institution can be badly handicapped by the accumulation of professors not good enough to keep and yet not quite bad enough to turn out.

It might be well to elect untried professors for an indefinite length of time at a salary fixed for a short period, say two years, with the understanding that failure to raise the salary at the expiration of that time should be equivalent to a vote of want of confidence. During this short period his capacity and desirability as a teacher can be definitely ascertained. If he prove a success, increase his salary; if he has not demonstrated his worth, let him retire. The advantage of this method lies in the

fact that it gives a negative way of escape. No charges need be preferred, no affirmative vote of incompetency need be taken. Absence of affirmative approval automatically settles the relations.

SALARY

No treatment of the operation of the law school is complete without at least brief reference to the matter of salaries. According to current reports, these vary from good compensation paid by some of the richer schools to quite meager pittances paid by others. It can not be justly contended that law professors should receive salaries equal to the incomes of the members of the bar who enjoy the most lucrative practices; on the other hand, salaries ought not to be regulated by the income of mediocre lawyers. Somewhere between these extremes should be found a golden mean just alike to employer and employed. In State institutions, at least, the salary of a full professor should not be less than that of the judges of the court of last resort in the State in which the school is located. If particular schools can and will pay more, so much the better for them, but the average salary might well be put at that of a Supreme Court judge.

MATERIAL EQUIPMENT

The organization of a law school also involves provision for its material equipment. The most important element of this equipment is a proper building and library. As to the need of well-constructed, comfortable and healthful rooms, with good acoustics, there can be no differences of opinion. One who has not actually conducted class exercises can not properly appreciate these material aids. It is difficult for any student to give undivided attention to a class exercise in a state of bodily discomfort. In most schools this actual discomfort is a thing of the past, but I fear that bad acoustics abide with us still. This condition is trying on the teacher, but still more trying on the students. If a class is of any size, it is very difficult for students in the remote parts of many classrooms to hear the responses to the professor's questions with sufficient clearness to keep firm hold upon the thought sought to be developed by the teacher. At best, a good deal of the student's attention is given to the mat-

ter of simple hearing, and his power of concentration is diminished by that much. Often, after the most strained attention, he loses the connection and probably misses the point. Not only does he fail to benefit by the class exercise, but he is developing bad habits of study and unwillingly falling into the practice of missing opportunities. In very large classes in rooms poorly constructed an oral quiz is almost without value as a means of systematic instruction to the class as a body.

LIBRARIES

The value of the library is also beyond dispute. Libraries upon an extensive scale are beyond the financial ability of many good law schools. It is, however, within the power of almost every school to obtain the most essential books. With the law school as with the lawyer, development depends more upon the use made of the books that are accessible than upon the number of unused volumes stored away upon the shelves. Within five or six thousand volumes, judiciously chosen, may be embraced all the books essential for the use of a student in the prosecution of his undergraduate study. If a larger number can be obtained, it is very desirable that this should be done. I simply wish to make the point that the large library is not essential to thoroughness in undergraduate study. For research work by the faculty or by graduate students a large library is indispensable. The ancient adage admonishes the practicing lawyers to "beware of the man of one book." The thought expressed in it may be fairly applied to the modestly equipped law school which by its methods of instruction induces its students to become so familiar with the four or five thousand volumes within its library that they know all about a few of them, and how to use those of each kind effectively.

METHODS OF TEACHING

At the beginning of this paper attention was called to the different conceptions of a law school—one line of thought emphasizing teaching and another studying; one stressing the work of the professor to the neglect of the work of the student; the other stressing the work of the student to the neglect of the

work of the professor. Attention was also called to the different views regarding law. Is it a system of general principles, or is it a mass of arbitrary rules? If it is not strictly a system of principles, are there, nevertheless, fundamental principles which underlie the law and from which it proceeds, and a knowledge of which is indispensable to a correct appreciation and application of the law? Again, is the law general, applying everywhere, or local, applying only in one jurisdiction? Whether we conceive it to be the one or the other, is it best taught by this or by that or by the other method? Shall lecture or quiz predominate in the classroom exercises? If lecture, shall it be preceded or followed by assignment of text or case? If it be quiz, shall it be confined to an effort to ascertain the diligence and appreciation of the particular student quizzed, or be so conducted as to develop systematically the thought covered by the exercise and show its relations to the lessons which have preceded it and those which are to follow? Shall text-book or casebook be given to the pupil? Shall all the time be given to substantive law, or shall it be divided between substantive and adjective, and if so, in what proportion? Is there any natural order of sequence in legal topics, and if so, what is that order, and can it be preserved in the actual arrangement and carrying out of a law curriculum?

As these different questions are answered, so, consciously or unconsciously, will those in authority arrange the particular curriculum and methods of teaching. If the predominant idea of law is its ethical quality, stress will be laid upon it as a manifestation of the present public conscience. If the predominant idea is its historical development, stress will be laid on the present rules as the outgrowth of former precedents.

Extreme undue emphasis on the teaching side leads to the exclusive lecture method, eliminating text and case book alike. Extreme undue emphasis on the studying side leads to the exclusion of all aid by the teacher further than is involved in showing the pupil how little he really knows, and sending him back again to the sources of the law. Neither of these extremes is tolerable. The middle course blends earnest research and careful thought by the pupil with skillful suggestion and illuminating exposition by the teacher. Under it the pupil's best

effort is stimulated and directed by the teacher's superior knowledge and judgment. The teacher is not an apostle of despair, the principal result of whose work is to stifle hope and so discourage thought, but an inspiring leader to higher intellectual effort, and more profound professional understanding. Instead of heaping difficulty upon difficulty by continued suggestion of unanswered and to the student unanswerable questions, starting in many directions, but going nowhere, he meets the student where he is and by judicious and helpful co-operation leads him to intellectual heights, where the hope of professional mastery and success dawns bright upon him.

A number of years ago, when I first read some of the discussions on the methods of teaching and the arrangement of curricula, I believed that the differences of view among the several schools, and in a few instances among the different professors in the same school, were fundamental and beyond adjustment. Since that time I have had occasion to look more closely into the actual work of these valiant disputants, and my present opinion is that we differ more in expression than we do in thought, and more in thought than we do in actual classroom work. I have been in the classroom of men who in the heat of argument make declarations which would incline one to believe that it is little less than a crime to give a pupil a text-book, that he must at all times be thrown upon his own resources, and made to develop the law from the original sources by his own unaided effort, and have caught these profesors red-handed in the act of making most masterly expositions of a point on which the assigned cases had apparently confused and overwhelmed their pupils. On the other hand many of the most ardent advocates of lecture and text-book are daily giving tribute to cases as a valuable means of instruction by assigning them to their pupils and insisting on their mastery. The amusing part of the matter is that each of us commits his particular solecism without apology and seemingly without sense of inconsistency. The truth is that none of us, even law professors, are quite so good as we believe ourselves to be, nor quite so bad as we paint ourselves, when we are trying to frighten "the party of the second part" in an argument regarding our hobbies. So, after all, I have concluded that the real differences between us are

largely matters of emphasis or relative importance. Some of us put the stress here and some there, each earnestly striving along the lines of his own greatest efficiency to transform the crude and untrained freshman into the capable and effective graduate.

The most important single factor in this process of transformation is an enlightened enthusiasm for the law as the highest human expression of practical justice. He who kindles this enthusiasm most successfully has found the best method of teaching. He who kindles it even fairly and keeps its fires burning with steady glow, though they be not at intensest heat, has found a method too good in his hands to be set aside except for weighty reasons.

Personally I do not think it well for any school to adopt any one method to the exclusion of all others. Conditions as they exist do not seem to me to justify, much less to force, such an election. The desirable thing is that each professor shall use with each class and in each topic the method best adapted to doing the thing that is then being done.

It is altogether conceivable that one teacher may excel in one method of teaching and another in another. It is also conceivable that different methods may be better in different topics and in different classes, and even in the same class in the different stages of its development. The important thing is to get a clear conception of the ends to be accomplished in attempting to teach the law and to press forward toward those ends by the methods which, under all the facts of the particular case, is best calculated to command success.

The primary object of the law school is to train men to be successful and effective lawyers, not moneymakers or skillful practitioners merely, though each of these is good when achieved honorably, but profound lawyers, who will do honor to their profession and subserve the public good. To take the young man in the professionally crude condition in which he enters the law school and develop him into such a lawyer involves much training along many lines. In its final analysis it is a process of character building, the fitting of a man for the exercise of some of the most important and far-reaching functions that pertain to any profession. It

is a process which necessarily involves development and growth morally, intellectually and in legal information. May it not be that work with and for and by the same individual should be varied to meet his varying needs during the various stages of this gradual growth? It seems not only possible or even probable, but altogether reasonable, that this may be true. If it is true, no fixed method of dealing with a student throughout his entire career in the law school can be best. Some amount of adaptation and adjustment is inevitable. How much there shall be and in what it shall consist are different questions.

In the school with which I have the honor to be connected, from its foundation in 1883 to the present time, the course has begun and still begins with the study of text-books. This is kept up to the practical exclusion of all other methods until the end of the first term; that is, until Christmas of the student's first year. At that time we begin assigning a few illustrative and expository cases in connection with the text, requiring thorough study of both. As the student advances in his familiarity with legal terms and legal processes of thought, the proportion of cases to text is gradually increased, so that in his senior year almost his entire work is done with cases. The catalogues of many other schools show that this method is employed in them.

RETURNS FROM PUPILS

There are many processes involved in teaching; among these, on the one hand, are giving out information by the professor and affording opportunities by him for the student to learn, and, on the other, getting returns from the pupils, showing to what extent they are availing of and profiting by such instruction and opportunity.

ORAL QUIZZES

In large classes it is difficult to test the students adequately by oral quizzes. The number of pupils who may be quizzed satisfactorily in any class period is necessarily limited, and the frequency with which any one pupil shall be subjected to quiz, if the quizzing be impartially distributed, of course, depends upon the number of pupils in the class. If the class is much above

50, it is difficult, if not impossible, for the quiz to constitute a satisfactory test of the work of any one of the students and its results, or to train any student so to stand quizzing as to be an effective means through which to develop a subject to the edification of the class. To select a few students and quiz them exclusively is objectionable, first, because of the seemingly invidious distinctions made between men who have equal claims upon the teacher and the school, and also because it leaves the great mass of students without the stimulus which is afforded by liability to quiz before the class, and also deprives them of the benefits which come from being quizzed. It also subjects this large unquizzed majority of the students to the temptation of putting off their daily work and trusting to their capacity to "cram" just before examination, if you will allow me the use of that highly descriptive student expression. The kind of "cramming" which consists in a systematic and rapid review of a subject with which one is already familiar is profitable, but "cramming" which consists of crowding into the mind a large mass of new and undigested matter for the purpose of passing a memoriter examination is exceedingly bad. Any device which renders this latter practice impossible, or even discourages it, has at least one appreciable merit.

Again, it is exceedingly difficult for all the members of a large class to hear the responses made to the questions in the oral quiz, and, missing these connectives, they miss the value of the comments and exposition by the teacher. And hence the topic is developed without uniformity of advancement on the part of the class as a whole, or symmetrical and co-ordinated knowledge on the part of the individual student.

WRITTEN QUIZZES

The best solution of the large class problem and at the same time the surest guaranty against undesirable cramming, which has come to my notice, is found in subjecting the entire class to regular weekly written quizzes in each topic, and making attendance upon and a fair grade in such quizzes a condition precedent to examination in the topic.

We have had such system in our school a number of years,

and have found it most beneficial in many ways. At the risk of being tedious, I give you some of the details.

METHOD OF CONDUCTING

Three members from each graduating class are selected to serve as quiz masters for the ensuing session. The session is divided into three terms. Each term one quiz master is assigned to each class. He attends all the class exercises of that class, and has the advantage of all that takes place in the classroom, both quiz and exposition. Each week a written quiz is given in each topic at an hour not assigned to regular teaching exercises. The professor in charge of the topic prepares the questions. The quiz master meets the class at the appointed hour, writes the questions on the board, remains in the classroom and supervises the quiz. An hour is allowed in which to answer the questions. The papers are taken in charge by the quiz master. He and the professor consult over the questions and the proper answers, sometimes grading a few papers together, at other times each grading separately a few papers and comparing results. Having in some satisfactory manner settled upon the proper answers, all the papers are then graded by the quiz master, subject to approval by the professor. A record is kept of each grade. Unexcused absence from a quiz counts zero. A short while before the examinations the quiz grades of each student in each topic are averaged, and unless this gives a grade of at least 80 per cent, he is not eligible for examination in the particular subject in which he has fallen below that grade. Students making the required quiz grade are admitted to examinations, and are required to make the same grade on their examination paper in order to be credited with the topic. The final grade of each student who passes is ascertained by putting together his average quiz grade and the examination grade and dividing by two. If any student falls below 80 per cent on examination, his quiz grade, no matter how excellent, will not entitle him to pass.

ASCERTAINED RESULTS

We have found this plan very helpful. It steadies the work of the student more than any other requirement we have made.

One of its almost unavoidable consequences is to cut off the "crammer" from any hope of successfully passing a subject. As his right to examination depends upon a grade of 80 per cent running through each week of the term and based upon written exercises, it can not be acquired by desultory and irregular work. Again, it tests every student and gives to each an opportunity to take stock of his information. The erroneous answers or parts of answers are checked, though no effort at correction is made, and the papers handed back to the student. He is thus apprised of the misconceptions into which he has fallen in time to correct them. Besides, it keeps a check, so to speak, upon the work of the professor. If a number of fair students miss the same question, particularly if substantially the same error is common to many answers, the professor may well doubt the sufficiency of his teaching on that point, and is admonished to take it up again with the class. The plan is relatively inexpensive. There are always a few good students who are anxious for the benefit of the review involved in this fourth year's work, and who will act as quiz masters upon very reasonable terms.

EXAMINATIONS

The current tests, which we have just discussed, should be supplemented by final examinations.

At the completion of each topic, an appropriate period should be provided for review, to give opportunity to systematize and co-ordinate the work, to get the relations of the several parts of the particular topic to each other, and to that topic as a whole, and also the relations of that topic to the whole scheme of the law, so far as then studied by the pupil.

These reviews and examinations should come at the completion of the topic, whether that be at the end of a term, a semester, or a session.

The final examinations should include questions which test the student in three respects: First, as to the accuracy of his memory; second, as to his capacity to generalize, to discover true analogy and detect false semblance of likeness; and, third, as to his capacity for practical application of abstract principles.

Memory looked upon as limited to a capacity merely to store away words which have conveyed no appreciated idea to the mind in which they are lodged is valueless, but memory considered as the faculty for retaining properly digested data from which to project thought and deduce rules, and so give a basis for proper judgment, is beyond price.

It is useless, however, to have data unless it is accompanied by the capacity of generalization—that is, the faculty to analyze the data and make proper comparisons and contrasts, the faculty to hold two ideas in the mind at once and truly determine their legal identity or points of resemblance on the one hand, or their diverseness or points of distinction on the other; in a word, the faculty of legal discrimination.

These two faculties—to retain and to discriminate—properly developed or applied, enable the student to deal successfully with the questions of the third kind, which usually take the form of hypothetical cases and to properly decide the cases given. A decision thus arrived at is not based on the language of the opinions merely, but upon the principle which forced the court to render the opinion. An examination which fairly tests a pupil in these three respects affords ample basis for just judgment as to his learning and proficiency. Unless it does thus test him, it can not be safely depended on. There can, I think, be no prescribed manner of asking questions. They may be formed so as to elicit statement of abstract principles, or in form of hypothetical cases. That is matter of detail which each examiner should work out for himself, but whatever be the form or forms adopted, the questions should test the student in the three matters indicated.

CURRICULUM

Recurring to the question of the curriculum and the order of topics, it will be impossible to take up in detail the different views on these subjects and the reasons for supporting them. I hope, therefore, I may be pardoned for intruding upon you the conclusions at which I have arrived on the subject after a number of years of careful consideration.

ELEMENTARY LAW.

I believe the foundation or matrix of the law consists of a limited number of general principles, ethical in their nature, and worthy of universal acceptance. These principles are the controlling rules in the lives of the great majority of the people, when each is regulating his own conduct, and are the standards which guide the people when they make authoritative rules for the government of themselves and others through political agencies. No people's conception of these principles is perfect, nor do the positive rules of law attempting to embody and set them forth represent fully even the imperfect general idea of the morally right; yet they approximate this with reasonable nearness, and so stand as a fair representative of the people's sense of propriety. These underlying and repeatedly recognized principles and the general doctrines of law growing directly out of them constitute the elements of the law or elementary law.

My meaning may be made clearer by an illustration. We are all familiar with the thought that running through the entire body of the law, criminal, contract, and tort, is the fact that one person is often entitled to the benefit of and liable for the injuries directly resulting from the conduct of another. In every topic with which the student can possibly come in contact this fact confronts him. Is it possible to go through the entire body of the law, which recognizes and enforces this fact and deduce therefrom a few general doctrines, one or more of which must apply in every case in which benefit accrues to one person or liability attaches to him on account of conduct of another? Such an inquiry would be a search after an elementary principle of law, and if it be prosecuted successfully, and the results correctly announced, such announcement would contain a doctrine of elementary law. Suppose it be true that there are a few such doctrines, and that no case can be found which adjudges one person legally liable for the conduct of another unless one or more of these doctrines applies, would not this be interesting and profitable to one beginning legal study? It is my earnest belief, deliberately wrought out and confirmed by careful research extending through a number of years, that it is true that there are a few such doctrines. These are (1) legal

identity, applying only as to the liability of the husband for the conduct of his wife; (2) substitution, applying principally, though not exclusively, between master and servant and between principal and agent; (3) nonassignability of duty, applying wherever one person owes a legal duty to another and delegates the performance of this duty to a third person; (4) cooperation, applying between all joint actors; (5) express agreement, applying whenever one person has by contract undertaken to be responsible for the conduct of another; and (6) express statutory provison applying in a few cases on the basis of public policy. No great length of time is required to give to the student of average ability a fair working conception of these different doctrines. And such a conception I have found by actual test running through a series of years with a number of classes is of very great value in the study of the law.

The foregoing is one of a number of illustrations that might be given along the same line.

It is said that the late Lord Russell, Chief Justice of England, in addressing an assemblage of English lawyers, stated to them that, in order to meet the active competition of the business world, an Englishman should be willing to remove a haystack in order to find a needle, but that the lawyer must go beyond this point in diligence and actually remove a haystack in order to find out whether or not a needle is hidden under it. It would seem to be no more than fair to give the lawyer some idea of what a needle is before he is set to searching for it. He might find it in the first handful of hay and not recognize it, and so cast it aside, and continue his labors to the great waste of time and energy, and in the end have no needle. May it not be that the untrained law student is justly entitled to this much consideration, and that his teacher may properly give him at the beginning of his work some general ideas at least of the law for which he is searching?

ARRANGEMENT OF TOPICS

From this point of view elementary law as I have just spoken of it should be the first topic in the course, and theoretically it should be completed before any other topic is taken up. In connection with the elementary law, a careful study should be made

of the different evidences of the law; that is, of the different kinds of law books and the proper way to study and use them. These should be followed by criminal law, torts, contracts and pleading. It is usual to place contracts before either criminal law or torts; but as these latter apply to and fix the rights and duties of persons upon their coming into life without the necessity of any action or assent upon the part of the person affected, while contracts deal with and regulate the voluntary creation, modification or destruction of rights by the act of the party, it seems that contracts should be given the later place. Pleading is assigned its place among the first topics, not so much because it logically belongs there as on account of its helpfulness in the second and third years' work in the course. It is almost impossible to understand thoroughly and get the best from a decision unless the student is somewhat familiar with the legal terms used in it, and the different steps taken in the preparation, trial, and appeal of a case. Many of these are explained in the study of pleading.

After the foundation has been laid in the topics above enumerated, the order of sequence is not ordinarily so important, though as between certain subjects it is still entitled to serious consideration. Agency, partnership, corporations, is clearly a better order of study than corporations, partnership, agency. And so as to a number of other topics which will readily suggest themselves to the mind of the teacher.

If he who is arranging the curriculum of a school should definitely determine that there is a proper sequence in study, and that some topics should be finished before others are begun, is it practicable to follow this order in the actual doing of the work in the classroom? In a small school with a large faculty it might be. In the average school with the average proportion between teachers and students it can not be strictly adhered to. The ideal must give place to some extent to the practical. Still, if there be a logical sequence, great care should be given to it in the arangement of the several topics, and it should be followed as far as the actual conditoins will permit.

TEACHING PROCEDURE

Another most important part of the work of the law school is

teaching procedure. I submit that this is really the true case system. If the purpose and underlying idea of that system is to throw the student back upon himself and his own resources and train him in doing exactly what he will have to do after he leaves the school, the preparation and trial of cases meets this demand as no other part of the curriculum possibly can. In the facts assigned him a pupil has a case which he must develop for himself. He must first analyze the facts and find what combinations of circumstance show a legal right, a violation of that right, and consequent damage. To do this he must necessarily apply rules or principles of law to concrete facts. He must hunt the authorities bearing upon these legal points, weigh them, and determine for himself their application and the legal results growing out of the facts as judged by the rules of law. He must prepare pleadings so as to present issues calling for the rules of law for which he contends, and ultimately must make his contentions good in the trial of the case. If there is any force in the argument that the student must be trained in the law school to do that which he is afterward to do in the law office, it finds peculiar application and force to the teaching of procedure.

Selecting a case already decided and giving it to the student for study involves one of the processes through which he is to go as a lawyer. It is a most important one, but is only one of many. The preparation and trial of cases in a moot court, or by whatever name the tribunal may be called, necessarily involves them all. Yet, strange to say, as a rule the schools which insist most strenuously on the case system give least attention to the adjective law and the trial of cases. I fear there must be something wrong with my logic.

It is a difficult thing to organize and maintain a system of courts in a law school. To do so requires a larger faculty than many of the schools can afford. With few exceptions, there is no proper equipment either in faculty or courtroom for doing such work on a large scale. Yet the fact remains that this work can be done, and done profitably, if the faculty be wisely selected and proper time and attention be given to it. Its difficulty is neither an insuperable obstacle nor an entirely adequate excuse for failure to do a reasonable amount of such work. If

the world had refrained from all difficult tasks because of their hardness, it would now be in a state of savagery. All of the schools in this association have extended their courses to cover at least three years. In the division of the time thus provided have the majority of the schools given a due share to teaching procedure in its various aspects.

We are all forced to recognize the action and reaction of substantive and adjective law upon each other. To take a familiar illustration, it is impossible to account for the difference in the rules of substantive common law and equity apart from the rules of procedure in the common law and chancery courts. In a very true sense the whole body of law which we call equity is but a protest against the narrow logic in procedure and inadequacy of remedy in the ancient common law courts. If, then, we are forced to admit that the rules of practice have been and are now so potential in determining and forming the rules of substantive law, why should these formative rules be ignored or at least greatly minimized in the teaching of law to which they have given form and force?

Consideration of the part taken by the student body in the operation of a law school is purposely omitted from this paper, as it will be taken up in some of its most interesting phases in other papers to be presented during this session of the association.

WHAT THE CLASSICISTS THINK OF THE CLASSICS*

BY DANIEL ALLEN PENICK, PH. D., ADJUNCT PROFESSOR OF LATIN AND GREEK

This study was prompted by the desire to know the attitude of classical teachers and scholars on some of the much discussed problems connected with the present status of the Classics.

A questionaire was hurriedly prepared for use in an emergency paper, which may account, in some measure for its shortcomings, the illogical order of the questions, etc.; many of the answers were hurriedly given, but probably, for that very reason, present the more genuine views. A hundred questionaires were sent out; there were forty-nine responses; thirty-nine answered the questions wholly or in part; the answers represent thirty-seven different universities, colleges, and preparatory schools in eighteen states. I hope all who were kind enough to respond to my inquiries will accept this public acknowledgment and appreciation of their favors.

In this paper the original arrangement of the questions has been retained and the corresponding answer follows each question in order.

1. *What are the principal reasons for a study of the Classics? (Separate Greek and Latin, if you think best.)*

The largest vote (14) is for a purely practical reason, namely, to help the mother tongue either by word derivation or by helping to an understanding of English literature. The disciplinary value with 13 votes is a close second. Add to this one vote given simply for practical value, and there is a total of 28 votes cast by 28 different men for purely practical value.

Other reasons of a more or less practical nature, which contain also elements of the cultural-literary value, are: historical value (3 votes), an accumulation of knowledge historical, biographical, etc. (3), the basis for a complete survey of the world's literature, art, etc. (3), most perfect form of ex-

*A paper read before the Fortnightly Club of the University of Texas.

pression (2), nomenclature (2), imperative for best knowledge of New Testament (2), the best open doors that lead to great variety of knowledge in every department of education (1), records of artistic expression (1), cultivation of linguistic sense (1), basis of Romance languages (1), for intelligent travel in Greece and Rome (1), Greek a modern language (1), power of expression (1), essential to liberal education (1), intrinsic and inherent worth of the languages (1), to put us in touch with the thought and life of very important sections of history (1), the verbal training that yields stylistic expertness (1),—a total of 26.

In the cultural-literary combination, pure culture value heads the list with 12 votes; then in the order of the number of votes, the world's greatest literature (6), the inculcation of good taste, etc. (3), ethical value through contemplation of exact form, etc. (2), monuments of human experience (1), a literature fresh, wholesome, stimulating, uplifting (1), influence on other literatures (1), the world's greatest thoughts (1),—a total of 27 votes.

From this classification, which is only approximate and largely for convenience, the conclusion is plain that classical scholars and teachers show no tendency to yield in the great question of practical values, but there is an equally definite tendency toward stressing the cultural-literary values. The vote is interesting in that it shows how universally classicists believe in the dual value of the Classics. Thirty men give 81 reasons, though there are only 28 different ones; of these 81 reasons, 28 are for the practical, 27 for the cultural-literary, 26 for the combination of the two; of the 30 men who give these reasons, only four vote for the practical value alone, and only three for the cultural-literary value alone, while 23 vote for both. While practically none are willing to give up the great utility value of the Classics, there are also practically none who fail to see in the Classics a great deal more than mere utility value, and it is just this failure on the part of the ignorant and unitiated, classically speaking, that accounts for the present unpopularity of the Classics. There are those who cannot see the practical value of the Classics or of anything else that cannot be turned into dollars and cents, and likewise there

are those who cannot see any value in the Classics or anything else that is not practical. In other words, all practical values in education are measured in dollars and cents, and besides this there is nothing worth while. Education, then, is earning capacity measured in dollars and cents; so, as almost anything has as great disciplinary value as the Classics and as almost everything has more commercial value than the Classics, the Classics are a hindrance to education and their pursuit is a waste of time. It is distressing to see how many college and university teachers take this extreme position; but it is comforting to know that a larger number admit a certain amount of cultural and literary value in the Classics, a short-lived comfort, to be sure, because they at once contend that this value can be acquired through translations, so that only enough people need to know the original to give us the translation and to explain that a third of our own language comes through these despised Classics. Much of the savage opposition was aroused by classical bigots, who could not realize that changed times and conditions demanded anything more in education than the Classics, but the opposition is now disarmed by the more sane position of the classicists, who, while not yielding their original claims for the practical value of the Classics, are stressing more and more the artistic-cultural-literary values. The classicists are more sane, and the opposition is becoming less insane.

Professor Kelsey* says: "Specificially, Latin and Greek become effective as educational instruments in at least seven different ways:

By training in the essentials of scientific method; observation, comparison, generalization;

By making our own language intelligible and developing the power of expression;

By bringing the mind in contact with literature in elemental forms;

By giving insight into a basic civilization;

By cultivating the constructive imagination;

**Educational Review*, Jan., 1907, Vol. 33, p. 62. Only published statements are quoted under names, as I have no permission to give names for other quotations; it was not asked. All are classical leaders.

By clarifying moral ideas, and stimulating to right conduct;
By furnishing means of recreation."

The following quotations from letters are typical:

"Modern culture, religion (Christianity), philosophy, art, poetry, political science, all are based on Greek thought and rooted in Greek literature. The study of these original sources must always be essential to a liberal education. From a less profound standpoint, the formation of a literary taste, and an appreciative knowledge of art, mythology, and history are to be best acquired through classical studies."

"The principal reason is to make the student acquainted with some of the greatest thoughts ever thought by any one on earth, and to give him an acquaintance with the highest forms of art in which these thoughts have ever been expressed. This is the ideal uppermost in the minds of enthusiastic teachers. It is like all ideals, esoteric. In speaking to the world a division not always observed should be made. Teachers of Classics are too much inclined to believe that all students of the languages are going to be classical students and scholars. The great majority of secondary pupils never go beyond the preparatory years, with one college year sometimes thrown in. To them the matter must be represented in a different light. The point most to be stressed in their case is the benefit which is derived from the study of the language as a help towards acquiring a command of their native tongue."

"I am still quite convinced that the Greek language and literature, which I have spent my life in teaching, are about the freshest, the wholesomest, the sanest, the most beautiful, and so the best things in their line in the world of education."

One of our ripest Latin scholars gives a timely word of warning against "confusing three quite distinct things:" (1) "The function of Latin in the secondary school," which is "quite as important for those who do not go to college as for those who do;" (2) "The function of Latin in college;" (3) "The function of Latin in the graduate school." He adds: "On purely utilitarian grounds, Latin and Greek are indispensable for all who have the brains to learn them."

The following summary by one of our best scholars is given for its conciseness and comprehensiveness:

(a) Literary value—a great literature.
(b) Disciplinary value.
(c) Cultivation of language sense.
(d) Basis of Romance languages.
(e) Light on English language and literature.

2. *Do you think the reasons for studying the classics are the same for all time, past, present, and future? If different, how?*

The majority of educators today contend that Latin and Greek have been essential in education, but that they have had their inning and must now give way to those subjects that have the disciplinary value of the Classics and are, at the same time, materialistically valuable. Others even more extreme contend that education, civilization in general through education, has advanced in spite of its encumbrances, Latin and Greek. The question, then, is fundamental.

There are 13 definitely affirmative and 7 virtually affirmative answers; 7 voted "no," and 8 were undecided.

One advocate says: "Always the same reasons; but more necessary and more beneficial now, when education, on account of American hurry and the elective system, has become superficial. Classics cannot be made very easy. Our best safeguard against intellectual degeneracy."

A very interesting opposing view: "No. As modern nations develop in importance, the importance of the older expressions of art and forms of thought must gradually diminish for all except a few experts who must continue to interpret that thought for the benefit of those who need it. The Renaissance needed the Classics as no future time will."

Again: "Present conditions are different from those which prevailed 300 or 400 years ago. Then all theology, law, medicine, science and learning was expressed in Latin. Hence we have not now the same practical and immediate use for Latin as the men of that day did."

Finally: "No. Formerly the reasons for the study of the Classics were largely practical; preparation for the ministry, for the learned professions. Today, while I believe the classical student has certain advantages over his unclassical competitor, classical education can no longer be said to be a necessity from a practical standpoint."

From the materialistic standpoint, there is much less need for the Classics than formerly; from the practical point of view in the broad sense, the Classics are as powerful as ever, and the reasons for them are more imperative; from the literary and cultural standpoint, while there are many other literatures worthy of study, the Classics are foundational and inspirational in every sense. Those who voted "no" did so from the materialistic standpoint.

3. *If you think that the Classics have not as strong a hold on education as formerly, do you place the responsibility on the Classics themselves, upon the teaching of the Classics, or upon education?*

By education as used in this question, I mean educational conditions, the character of the age, modern educational demands, the general trend of education. It was so understood by those answering.

One urged that the hold of the Classics is stronger, one that the responsibility belongs nowhere, one that the situation is due to false claims by false friends of science. Two lay the blame upon the Classics themselves, 19 find fault with the teaching of the Classics, and 29 vote to hold education in general responsible.

"The principal reasons for a falling off in Latin, and the notable falling off in Greek, are, I think: the tendency to materialism in education—the taking of 'bread and butter subjects,' the free elective system, the militant attitude of science, and the large place now assumed by modern language and history."

It is not unnatural that superficial, short-sighted folk in educational circles should make the Classics objects of special attacks because of jealousy over their former monopoly, because of the popular clamor for get-rich-quick schemes of education, because of their own lack of appreciation of anything difficult or solid; but why any scholar, whether scientist, historian, or modern linguist, should have a special spite against that department which has for so many centuries had such universal recognition, and today receives recognition from the very best minds of the country both within and without its own ranks, is more than I can understand. I believe I represent the

rank and file of the classical department when I accord due consideration to all branches of science, history, and modern languages, including a ready willingness to make room for them, with only one reservation, life and liberty.

"We must not insist upon the Classics against the legitimate rights of modern literature and sciences."

"Teachers of Classics too often sit on the high horse of Pharisaism, thanking the Lord for their aristocratic isolation, when they should do their very best to connect the teachings of antiquity with the problems of modern life, a task very easy and grateful. Education is to blame, by emphasizing too much the absolute equality of all subjects for the formation of character, and for pandering too much to passing fads of the moment; witness the present wave of vocationalism, which has been cried from the house-tops, until every one who wishes to be called an educator must chime in, or be called a fossil."

4. *If you agree that the Classics must fight for continued general recognition, what must be the basis of the competition? Material or humanistic, or both? Any other basis?*

Material is not used here in the materialistic sense, but as regards practical values. Four people refuse to fight at all. Fifteen would make the basis both material and humanistic, 4 mostly humanistic, 7 only humanistic. The remaining four votes show two for a historical basis, which is both material and humanistic; one for a literary basis; and one a need for more of the beautiful that is found in the Classics, both humanistic. Seventeen, then, would combine the values, 13 would stress the humanistic side. This does not mean at all that the language as such is to be neglected, but rather that it is to be supported by other resources which it has had all the time, but which have not been used to the greatest advantage. The Classics have yet boundless resources and will not down. One well known scholar would stress the training value of the Classics, Latin being a foundational study for English, and Greek for culture.

"The Classics cannot regain general recognition among the people at large, and they can not lose it among people of literary culture. All studies which involve hard study and which young or uneducated people do not consider 'practical' are

losing ground throughout the country. They won't die out, but they won't really flourish for many years to come."

One extreme view will shock many classicists: "It is no use to cast around for any materialistic reason for studying Greek and Latin. Any material benefit which one can derive from the Classics may be received more quickly from other sources, and without any knowledge of the original. On the other hand, the humanistic element has so far been very much slighted in American education. Mere talking about ideals boots nothing. But to place before the boy such examples of patriotism as Cicero, of devotion to single purpose as Caesar, of adherence to beauty as Vergil, to enlist his sympathies for Achilles, for the brave ten thousand, that will appeal to him."

Professor Kelsey's views on this subject are given in the *Educational Review*, for February, 1907, Vol. 33, p. 173. I quote one sentence: "No substitute has yet been found to take the place of Latin and Greek as educational instruments, not only for a general training but also for the training that looks forward to professional study."

The following comes from the middle West: "I would condemn to fine and imprisonment any one who wants to restore conditions just as they were, for that is wasted labor. We must build anew from the bottom up, and ruthlessly exclude from our new scheme anything that promises to be dead lumber under present conditions, anything that has merely the sanction of past courses of study. I would imprison for five years any one who talked about 'lovers of the Classics,' and for life any one who persistently keeps referring to 'the conflict in which we are engaged.' We must realize that this conflict will lose half of its importance if we ourselves stop keeping it in the foreground. A better way, the only way, is to 'saw wood,' and to learn how to do this better from day to day, letting others spend their energies in polemics, which would die out soon, if classical teachers themselves were not so blind."

5. *If you do not favor making an issue, do you think present conditions demand a change in what to teach in Classics, and how to teach?*

Seven answer "yes," eleven "no," four favor a change in the method of teaching, and 3 see no need for a change in what

to teach; 4 would make some slight changes, 3 would shift the emphasis to the humanistic side, which really makes them vote "yes," and 5 see a need for a change in teachers. Leaving out, then, the 11, the largest vote, who want no change, and the 3 who would not change the subjects—14 in all—23 call for change of some kind.

"The first change must be in the teaching corps. It is a crime that young boys just out of college, and with no deeper knowledge of the subject than the average graduate possesses, are put to teach one of the finest subjects in the course. With everything that may be urged against the specialist, a man who knows his subject, if he is otherwise a common-sense fellow, is immeasurably preferable to the pedagogue, who may have studied how to teach but knows not what he teaches. Specialists, of course, must not be worms which have been grubbing in some small corner of the Classics, but men who have read, read, and read again."

One of America's best Latinists says: "What to teach is unimportant compared with the way to teach."

There is no lack of information just now as to what authors should be read: the question is rather, what to teach in these authors, or how best to teach them. In a laudable effort to stress certain necessary features of the work, we sometimes forget that we are teaching history and literature, that the people who wrote were living beings writing to living beings.

6. *What ought to be stressed most in classical instruction in preparatory schools, in the college, in the university?*

For the preparatory school, there is a preponderating vote for thoroughness in detail, 11 votes for forms and syntax, 2 for forms alone, 5 for exact knowledge of the language, 6 for the mastery of the language, 6 for vocabulary, 30 in all; 8 place the stress on translation, the power to read intelligently and easily, 4 insist on some literary appreciation and culture, one emphasizes the light thrown on English language, literature, and subject matter, while one calls for a limited knowledge and the ability to handle it.

"In the high school we must first teach thoroughly forms and syntax; the technique, if you choose, must be mastered. Nothing can take the place of thorough and persistent gram-

matical drill during the first two years. But incidentally, while teaching the rudiments, we should give much information with reference to the life and history of the people. As soon as possible the students should be introduced to continuous narrative, and should read, read, read."

While all these reasons are, in a sense, ends in themselves, they are more essentially means to the great end of knowing the people, their life, history, literature, philosophy, art, etc., through the language; every reason given, therefore, must be stressed.

For the college, the highest vote is for literature as such, 9; then 6 for language and literature, 5 for literature and its bearing on history, one for sympathetic appreciation of literature, 4 for culture, 3 for life, 2 for antiquities, history, and art,—a total of 30. For the extension of grammatical knowledge, there were two votes, for style two, for philology, archaeology, etc., two, for reading power 4, wide and intelligent reading one, translation two, 13 in all. It is only natural that the linguistic stress should predominate in the preparatory school, as there is where the language must be learned; and it is interesting to see that the ideal for the college is two to one literary—cultural—life as against the linguistic-reading combination.

For the university, specialization of one kind or another to fit the student received 8 votes, translation 5, study of literature 4, and one each for the following: Extension of grammar, art, inscriptions, etc., subject matter, training to appreciate a living vitalizing force in Classics, the complete fruition of classical lore, a sense of values. The last points with one vote each seem to me to contain the essence of the matter. I believe that here again research, intensive study of philology, specialization of any kind is good in itself, but not wholly an end, rather a means, to the appreciation of the living, vitalizing force of the Classics, and what is most needed is that sense of values which will enable us to estimate properly the Classics in themselves as wholes and as parts and in the relation to other things.

There is one vote for the humanistic ideal in all, preparatory school, college, university. To that I agree, understanding humanistic in its broadest sense. Another would stress the liter-

ary side in all schools, in which he thinks the university errs most.

Professor Sihler says in the *New York Evening Post* of August 22, 1908: "The greatest thing in the department, to my mind, is this: to feel and grasp, through literature, the spirit and personality of those who made great literature. Reading, reading, reading. It is clear that such reading must become deeper, stronger, truer. It is profoundly erroneous to say that in the graduate stage cultural interests must recede. It is clear that such reading must not be desultory; it must be persevering. No plucking of flowers merely, no mulling over of famous aphorisms or star passages. The reader must discover for himself that last and supreme charm of classical scholarship, the living and well-marked intimacy with the heart-throb and the contours of an uncommon personality."

7. *If you do not agree with Professor Carroll's position as to the New Classical Philology (The Classical Weekly for March* 20, 1909) *in what do you differ with him? He makes the following points:* (1) *The New Classical Philology lays stress rather on the subject matter of the ancient literature than on language and style.* (2) *The study of ancient life and art is now regarded as of equal significance with the study of language and literature.* (3) *The Classics must be advocated as the fundamental study, as the basis of modern education.* (4) *We must meet our opponents on their own ground and show the utilitarian value of clasiscal study.* (5) *The great need of modern America is an impulse away from materialism, and toward higher standards of living, moral, intellectual, and spiritual.*

The gist of Professor Carroll's points seems to me to be a claim for greater stress upon the subject matter, the life and art, in short, the humanistic, without sacrificing language and style. Certainly he clings to the Classics as foundational, as utilitarian to the extreme.

One of our ripest scholars makes a most interesting comment on this question: "I do not believe that the new classical philology as outlined by Professor Carroll is a wise thing for the secondary school. For the college and graduate school, on the other hand, it is nothing new. It is as old as Wolf. The conception is far from novel."

In view of these remarks, the summary of votes becomes all the more striking. The number in essential agreement is 18, agreeing to all except (4) 4, to all except (2) 1, in all 23. Opposed to these are 2 who vote "no" outright, 1 agreeing only to (4), 2 to (3) and (4), 1 to (1) with strictures on others, 1 to (2) and partially to (3), 1 to (5) and partially to others, 1 to (3) and (5) and partially (4),—9 in all. The vote, then, is practically 23 to 9 in favor of Professor Carroll's New Classical Philology, which is to me a favorable sign, indicating two things: That the classics are to maintain their original high standard of values from the utilitarian, linguistic, and literary standpoints, and that they are to stress more than formerly those elements of their intrinsic greatness that will appeal more to the naturally unclassical bent which is at the same time unprejudiced,—a distinct gain without any loss. Granting the contention that Professor Carroll's thesis is nothing new, I cannot agree that it has been put into general operation, and it should be.

8. *Do you believe the Classics are helped in actual value to education or in maintaining their standing in education by giving courses in art, literature, etc., where no knowledge of the original is required?*

This is a question with which we are face to face, and as I read the signs of the times, there is a gradual tendency toward the affirmative. The discussion is principally concerned with literature in translation, as nearly all value art courses highly, though not especially in relation to the actual help they furnish to the value of the Classics. Those voting "yes" outright are 11 in number, "yes" to a limited extent 8, doubtful for literature 3, believing in them, but not as a help to the Classics 1, a total of 23; over against these are 9 "nays," 1 "no" for literature, 1 who thinks this fad is overdone, 1 who favors such a course in archaeology, 4 who favor it for art—16 in all. Those decidedly "yes" or "no" are about 11 to 9; the others are practically undecided.

One of the ripest scholars of the middle West writes: "Yes. This is better than leaving so many young people entirely ignorant of things classical, i. e., of the benefactions to the modern world made by the Greeks and Romans."

Again: "They are indirectly. No general course such as here contemplated can replace first-hand knowledge. But we can reach adults by these means, and engender in them respect for the knowledge of the Classics, and thereby create the demand that these things be taught to their children."

As an advocate of classical translation courses, I would suggest that nobody would think of substituting such courses for courses in the original or of allowing them to compete in any way with the original or of allowing credit for them as Greek. Seeing, however, that the great mass of people today do not study the Classics, why should we withhold from them a taste of those choice things which they are not wise enough to get for themselves first-hand, especially when we can by such courses create a sentiment in favor of the Classics? Of course, we are to impress upon the class what is lost by not knowing the original, for only by so doing can we carry the point for the Classics, the furnishing an inspiration for knowing the Classics themselves. After several years' experience in courses of this kind, I can testify to the universal interest in the literature even in its second-hand condition, and to a decided awakening of interest in the original, which all recognize must by its form and power of expression be infinitely superior to a cold translation, which can of necessity give only the content. Of course, only a student of the Classics should offer such courses, one who can infuse more life and interest than the translation can furnish. At least one lady of maturity has evinced a desire for the original, and another is pledged to use every influence on all her posterity for acquaintance with the Classics first-hand.

9. *Why are you devoting your life to the Classics?*

This may seem a pointless question, or else too personal. It was meant to get the motive, the real reason for the existence of classical instruction. The answers are in many cases extremely interesting.

Seven claim fidelity to first love, 7 a liking for them, 3 a vivid intellectual interest in literature, and there is 1 vote each for the following: cultural power, their mission for the enfranchisement of the human spirit, interest in the history of man, the negation of a misguided youth, the greatness of the

field, contact with the greatest minds of yesterday and today; 2 votes each for these: force of circumstances; at first, convenience,—later, choice; deep interest in them; belief in their educational value. These figures need no comment, because of the practically universal loftiness of motive.

One says: "I'm interested in the history of the beast called man, and I want the whole story—or as much as possible."

Another: "(a) Because I was brought up in my home to respect and to love all great literature. (b) Because both in 'Gymnasium' and in University I have been in intimate contact with the greatest minds of my native country, who kindled in me an enthusiasm which no vicissitude can obliterate."

10. *Are you ever so discouraged over the status of the Classics, present and future, as to be tempted to give up the work?*

Here again the vote is practically unanimous: "no" 26, occassionally 2, "no" for Latin with some discouragement for Greek 1, discouraged often, but the cause is too good to give up 3.

"Never. When I am sometimes wearied, I turn to some piece of investigation, or read some good classical literature, and renew my love for them."

"No! I was offered double my salary to go into business last year. No!"

11. *Do you think that the feeling is prevalent among classical teachers that, owing to present conditions, they would find greater opportunities for self-advancement and for advancing the truth in some other field, especially in what are commonly known as the sciences? Or in history? Or in modern languages?*

The question seems useless, or a confession of weakening confidence. Yet I would stress it, because the evidence on this as well as on questions 9 and 10 will help to convince the young man, who might otherwise hesitate to go into this field to which he is attracted and for which he is fitted, by persuading him that he is in a work which will ever give him the highest joy, in which he can give out to others the best that this world has produced.

Fourteen think that such a feeling is not prevalent. Seven think it may be a little prevalent; six don't know; one refuses

to discuss such things, and one thinks that all with such feelings should go, while two answer "yes" outright.

"The real foe to the Classics is he who knows nothing about the Classics, whether without or within the ranks. Did you ever see an enemy of the Classics who was a master of the Classics? I never did."

Note on the other hand: "Probably it is. I do not recommend the Classics as a profession to anybody who has not independent resources."

The last statement applies with equal force to all teachers in whatever department. Certainly present living expenses and the stationary condition of teachers' salaries are forcing the teacher who "has not independent resources" to search for means of supplementing his meagre income. This is costing the country dearly, for a teacher cannot do his best work under such conditions.

A very sane answer to this question follows: "It is among those teachers who are mere teachers, that is, who will teach anything, because they look upon teaching as a pedagogical exercise, or who have been teaching Classics simply because they were asked to do so by the employer, and who have—I speak from actual knowledge—never read beyond the preparatory authors," and those with little or no appreciation.

12. *Do you think the Classics should be elective in preparatory schools, in colleges?*

Here is a battlefield. Taking those who voted on both together, 9 answer the question in the affirmative, 2 say "yes" with limitations, 6 vote "no," 1 votes "no" unless election is by groups, 1 votes "no" if a man of culture is desired, 1 says "partially," 1 is in doubt. So far there are 9 for the elective system, 8 against it, and 2 undecided.

For preparatory schools alone, 7 vote "no," 1 says obligatory for all going to college, 1 wants all pupils of promise in preparatory schools to have Latin and some Greek,—9 votes against the election of the Classics in preparatory schools.

For college, 4 vote "no" for the A. B. degree, 3 want one or two years in college for the A. B. degree, 1 says "yes," 2 say "partly." This shows 7 against the elective system in college, 1 for it, and 2 in doubt.

There are 2 interesting votes for a proposition to have schools with and schools without Classics required, which seems to be an effort to group schools instead of courses.

"The elective system is a good thing. Let all compulsion be removed, and let us go to work generously in the belief that we have a good thing and can show the merits of it. On occasion let us point out to students the differences between our work and the other lines with which we come into competition, but in a generous liberal way, conceding not what we have to, or because we think we have to, but because we wish to do so after consideration of what the various lines can do for the student. We should co-operate in a friendly spirit with other departments which are in the same field, and they will co-operate with us. In short, let us go to work for the future, and let the past be past, making it appear that we are working for the common good as well as any one else."

"That depends on the purpose of each institution. For instance, if an institution is founded (as Cornell University was) to be a place where everybody may learn everything, nobody who wants to learn should be excluded because he happens not to know Greek and Latin or Mathematics or any other particular thing. Certainly the public schools ought not to make the Classics obligatory, nor should they any foreign language, nor, for that matter, most other things. But the difficulty is to get young people, especially those whose parents are ignorant, to make intelligent selections."

The question is too big to discuss in small space. I simply make a few suggestions without developing them.

From the standpoint of the Classics, I favor the elective system for the Classics, for, as they represent the survival of the fittest, they will always have the patronage of true men of letters and those whom they influence.

From the standpoint of the generations that are to be educated, I do not favor the elective system for the Classics, because public opinion is more or less against the Classics, because other departments of learning which are comparatively new and those being developed are seeking room for themselves by inveighing against the Classics, because an inheritance of ignorance, the materialistic tendency of the age, the desire of

human nature to move along the line of least resistance cause the youth to take anything but the Classics, the result being that the misguided youth loses much to which he might be heir.

I suggest three possible remedies: (1) a return to that plan which refuses to call a man a bachelor of arts who knows nothing but science; (2) the creation by the State of the two kinds of school suggested above, one that will require the Classics, one that will not require the Classics, the advantages being that a school of tone might attract a class of students that should and would take the Classics, if not dissuaded by lazy student friends or prejudiced advisors; (3) the group system should be put into both preparatory school and college if we are to have the elective system at all, so that the disadvantage of election may be minimized. In any case, if there is to be election, and so advisors, there should be some plan of securing unprejudiced, far-sighted, many-sided advisors, whose classes are not dependent on the advice they give.

13. *Will the present general elective system, the placing the Classics upon the platform of merit by the side of other subjects, lead to better work on the part of classical teachers?*

The answers of this question were 10 affirmative, 5 probably, 11 possibly, 4 negative; 1 makes the point that the Classics are as practical as any of their competitors, and 1 that Latin and Greek are competitors under the elective system.

Says one: "Perhaps, a little, but most of us are doing our best with recalcitrant teaching material, poor equipment of the 'laboratory sort,' and bucking up against a 'bread-and-butter' campaign against us."

Accepting the elective system as it now stands and with it the fact that the Classics must stand or fall on their merits, classical teachers would seem to have the additional incentive to good work that comes from competition. A certain amount of competition is good in everything, not excepting the Classics, and to that extent only will classical teachers be improved. Nor is a word of caution out of place at this point against going too far toward a popularizing compromise.

14. *Is there competition between the Classics and modern languages? Why?*

I ask questions 14 and 15 because I feel that these subjects together with English should be the best friends of the Classics.

On the 14th 13 answer "yes," 7 "no," 3 say to some extent, 1 says there is a healthful competition, 2 says there should not be, 1 says it depends on who teaches them, 4 think they should be mutually helpful,—17 "yes," 7 "no," 6 not sure.

Of those who assign a position for the Classics in this competion, 9 make them foundational, 5 give them greater utility, 1 gives them greater general educational advantages, 1 puts them on the same platform with literature.

The following is from a high-school man: "Our classical pupils assimilate a modern language in about half the time it takes other pupils."

There is a sense in which the Classics and modern languages are unintentionally competitive; where there are language requirements to satisfy certain conditions, the modern languages are stressed because they are easier. I agree with one Professor in placing higher value at this point on the Classics because they are harder, not to mention other reasons.

15. *Do you consider the department of History antagonistic to the Classics? How should the Classics meet such antagonism?*

The preponderating testimony here is "no," 17 votes; there are 6 affirmative votes, 1 says not everywhere, 4 say it depends on who teaches History, 2 think they should be on the best possible terms, 1 sees danger of modern History encroaching on ancient History.

The position of the Classics in meeting such antagonism should be to emphasize the historical value of our work, say 3; 3 say put ancient History under classical instruction, 3 would make the Classics fundamental for History.

"In most cases which have come under my observation, there is antagonism. I ascribe it to several reasons: (a) most history teachers, even authors of text books on ancient History, know nothing of the Classics except what they learned in school and college; (b) almost all teachers of Classics are devoid of any historical training. I believe strongly that ancient History should be taught by the classical teacher, but

to do this, he must have had thorough postgraduate training in historical methods. This is also the best way in which the Classics can disarm the antagonism of the History teachers."

"I conceive of classical study as a phase of historical study, and that all the arguments which can be advanced for the study of History apply (though perhaps with some special adaptation) to the study of the Classics. It is chiefly a question of how much. Some students will wish really to apprehend antiquity through the medium of the original language, others will be content with one language (e. g., Latin), and still others will get what they can safely through the descriptions of modern writers and through translations. I use History, of course, in the highest sense, including not only consideration of political, social and religious origins, but also the bearing of ancient languages upon our own tongue and our habits of thought as influenced by language structure. Let me add by way of further explantation that my desire is to see classical studies accorded a place such as they deserve from their historical content, free if possible from jealous attacks from without and free too from arrogant propaganda from within."

Professor Kelsey in the *Educational Review*, Vol. 33, p. 168, has this to say: "There is no disagreement among educators regarding either the necessity of work in History for all students who wish to have a liberal education, or the desirability of maintaining a continuity of instruction for a number of years; yet the question may well be raised whether, under present conditions, the time spent upon History in the freshman year might not be devoted with greater profit to other subjects, whether in fact even the man who is to specialize in History and has had only the ordinary high school course in Latin will not in the end make a better historical scholar, if he puts upon his Latin or Greek the hours of freshman work which he is tempted to give to his favorite subject. In some institutions no other single factor has been so potent to turn students away from the study of either ancient language as the throwing open to freshmen of lecture courses in History, which, from the nature of the subjects and the methods of instruction, are less exacting in the requirements of daily preparation, and less difficult to 'pass.' The historical field is attractive to all

students having a spark of human interest; but even the freshman is not slow to find the line of least resistance, and not loath to follow it. In these days when the study of History lays a just emphasis upon the knowledge and use of original sources it seems anomalous that students should be able to come up into advanced historical work and try to become historians without the ability to read the Magna Charta in the original. An even more striking anomaly is the teaching of Greek History in college courses by men who know not a word of Greek."

A summary of the paper would mean to reproduce the facts. The one result of the study for me personally is encouragement.

The classicists think more highly of the Classics than they ever thought. There is more enlightenment in the study and in the teaching of the Classics than ever before. There is more literature, more art, more evidence of the greatness of these great peoples being unearthed every year. There is more practical use being made of the Classics than ever before. There is a saner and so a more hopeful attitude toward the Classics by the classicists themselves, a greater love for them and more confidence in them without the former exclusiveness which has done as much as anything else to make them unpopular. There is a greater need for the cultural and literary influence of the Classics than ever in the world's history, and that need is keenly felt. Some of the signs of a reaction in favor of these monuments of education in every phase for 25 centuries are the greater confidence of their devotees, less evidence of hostility between the advocates and detractors of the Classics, the need for their existence practically and culturally, the reaching out of the world for their influences which have been temporarily lost sight of, the lack of which has made education harsh and hard in its results, if not in its processes.

COWBOY SONGS OF THE MEXICAN BORDER*

BY JOHN AVERY LOMAX, M. A., ASSISTANT DIRECTOR OF THE DEPARTMENT OF EXTENSION

"What keeps the herd from running,
And stampede far and wide?
The cowboy's long, low whistle,
And singing by their side."

. . . . . .

"Oh, it was a long and tiresome go,
Our herd rolled on to Mexico;
With music sweet of the cowboy song,
For New Mexico we rolled along."

These two stanzas from different songs suggest the cowboy's own reasons for his singing. The interpretation of these songs, their ultimate source, history, and positive literary value involve many interesting questions.

In the western part of the United States, particularly in the States and Territories bordering on Mexico, besides the number of perverted old-world ballads and broadsides commonly found among English people living more or less in primitive fashion, there is a considerable body of indigenous popular songs that has sprung up as has the grass on the plains, and from sources quite as undeterminable. These songs have been handed down, like the Masonic Ritual, by word of mouth, and even now are circulated chiefly by means of oral recital. Some have been printed in local papers and a few others have in recent years appeared in popular accounts of western life, or in such publications as the *American Journal of Folk Lore.* The great bulk of the material, however, exists only either in rude manuscript form, or in the minds of those who chant the songs in the wild, far-away places of the big and still unpeopled West. That unique figure in American civilization, the cowboy, is popularly supposed to be the creator, as he certainly is the transmitter, of these songs. For the past five or six years I have been trying to collect the words of the most typical of the frontier songs, and, whenever possible, to secure also the tunes to which they

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are sung. The present result of my work, in my opinion, forms only a meagre part of the existing material. I have brought together considerably more than one hundred of what I have tentatively labeled cowboy songs, a number of them taken down from the lips of ex-cowboys themselves. Of some of the songs, I have from five to twenty slightly varying versions. In the majority of cases, the words seem satisfactorily complete. A considerable percentage of the collection, however, are probably only fragments. In addition to the seemingly complete songs, I have secured smaller fragments of nearly one hundred more of what Professor H. M. Belden, of Missouri, chooses to call song-ballads. After a careful sifting of this material, it is possible that the number of distinctly cowboy songs may be reduced; fragments also may turn out to be merely isolated stanzas without any real parent song.

I give the local habitation of all this material to the southwestern border States, simply because of the fact that I have found the most of it there. I have correspondents in practically every State and Territory west of the Mississippi River; nevertheless, fully seventy-five per cent of the songs have come from Arizona, Texas, and New Mexico. Even when the songs were secured elsewhere, the sender usually attributed their sources to one of the three States mentioned,—Texas getting a much larger share. In addition, I have found cowboy songs in Idaho, Montana, the Dakotas, Oregon, Washington, Utah, Colorado, Oklahoma, California, Missouri, and Nevada. The point of chief interest in this wide distribution is that the same song is seen to be popular in the early days of, for example, Washington and Texas—a song, too, which, if at all, has been only recently in print. My information leads me to believe that the song, "The Dying Cowboy," was known before the days of railroads in every State that I have mentioned. Its wide distribution and the common occurrence of many others is probably due to the roving nature of the cowboys and the early Westerners, and furthermore to the fact that traffic in large herds of cattle was once common between such distant places as Texas and Montana. There are yet physical traces of one or two of the old cattle trails that led between these two States. An old trail song says, "Montana is too cold for me. It is there I won't be

found;" while in Texas, "I will not catch consumption by sleeping on the ground." Several of the songs seem to owe their origin, indeed, to the experiences of cattlemen on the long drives between these two States. A stirring one begins, "Come along, boys, and listen to my tale, I'll tell you of my troubles on the old Chisholm Trail." This particuar song is said to be as long as the trail from Texas to Montana. I know of one person who claims to be able to sing 143 stanzas of it. The men going up the trails scattered the songs as they rode along. Such as suited popular fancy have lived, and are yet current in isolated communities. Owen Wister tells in *The Virginian* of how his hero sings sixty-three stanzas of a cowboy song known as "My Lulu Girl," only one verse of which was found fit for publication; while his comrades, in accompaniment, beat holes in the ground with the heels of their boots. It is generally understood that Mr. Wister located the scene of *The Virginian* in Montana. The "Lulu" song to which he refers is known wherever I have been in Western Texas, and affords another illustration of the widespread currency of cowboy melodies.

The songs in my collection have come from different sources. Many of them were given to me by students of West Texas who have been in my classes; some I have obtained from the files of a Texas newspaper of large circulation, which for a number of years has printed a column of old familiar songs; some have come from manuscript scrap books; some, as I have said before, have been taken down from the lips of ex-cowboys, now in many cases staid and respected citizens. A number of the most interesting songs were obtained from four negroes who have had experience in ranch life. One of these negroes is now a Pullman car porter, one is a farmer in the Texas Panhandle, one runs a saloon in San Antonio, and the fourth keeps an undertaker's shop. I had the rather unusual experience of sitting in a dark room surrounded by coffins while my negro undertaker friend sang into my phonograph an Australian Bush song, widely popular among the cowboys, known as "Jack Donahoo." As in the case of collectors of old English ballads, my best sources of immediate information have been the more illiterate class of people. The ultimate sources of the songs is a matter, at least partly, of conjecture. I have had many interesting notes from

cowboys themselves as to the origin of the songs they gave me. One wrote, "I don't know how this come to be made up, as I have knew it a long time and don't remember when I first heard it or how long I have knew it." The same gentleman writes of another, "This song is said to have been composed by his comrades who were in the roundup with him at the time he met his fate by being killed with a horse falling upon him. How true it is, I cannot say as I was not there and I never knew the man that was killed; so I can't say how it was." Such testimony is typical of much I have been able to get. My informant either says, "I learned this from another cowman," or, "Some of the boys just made it up, I don't know where or when." I had the story of the composition of one song, "The Buffalo Skinners," from an ex-cowboy who claims to have got his information from one of the participants in the tragedy. The song tells of a party of men being hired to kill buffalo by a dealer in buffalo hides. At the end of a summer full of hard experiences, the dealer in hides was unable to pay his men for their work. Whereupon, they shot him down and left his body on the range of the buffalo. As they rode along back to civilization or as they sat about the camp-fire at night, the men of the party jointly composed the song, now widely current in the Southwest. A few of the trail songs are also unquestionably of composite authorship. On one occasion, in a hotel in San Antonio, two men from different sections of Texas, sang to me numerous stanzas of a trail song. The stanzas from the two sections were entirely different and neither of the men had ever heard before those furnished by the other. Since then, I have secured several additional contributions to the same song. The tune only has all along been identical. In most instances, the slight difference noticed in copies of the same song are quite certainly due to oral transmission; though now and then an extra stanza creeps in as if to show that the songs do really grow as they are passed round. I have made no progress at all in my search for authors, save to discover four individuals all of whom claim authorship for the same song.

It follows that, since the authorship of none of these songs can be determined, the precise dates of their composition are equally unknown. Very likely the great majority of them were written during the last fifty or sixty years. The social conditions which

gave them birth are of noteworthy significance. The large cattle ranches of early days were ofter one hundred miles and further from places where the conventions of society are observed. On extremely few of these ranches was there a woman in the household. The ranch community consisted simply of the boss, the cowboys proper, the horse wranglers, and the cook. These men lived on terms of perfect equality. Except in the case of the boss, there was little difference in the amount paid each for his services. Society here was reduced to its lowest terms. The work of the men, their daily experiences, their thoughts, their interests, were all in common. Such a community had necessarily to feed on itself for entertainment. There were no books or magazines, and visitors came at rare intervals. It was perfectly natural, then, for the men to seek diversion in song. Whatever the most gifted man could produce had to bear the criticism of the entire camp, and in a sense had to agree with the ideas of a group of men; else their ridicule would soon force it to be modified. Any song, therefore, that came from such a group would probably be the joint product of a number of them. I have often had this statement corroborated by ranchmen who had never heard any theory concerning the origin of ballads.

The choruses of such community songs seem especially invented to urge on the cattle when they grew tired on the long drives. The cowboy's shrill cries, his "whooping and yelling" in thousands of variations, as well as the pop of the whip that he once carried, were employed to encourage the cattle to move faster. These cries were, in occasional instances at least, merged into measured verses, fitted to tunes, and finally attached permanently to some cowboy narrative in verse.

Still another condition out of which grew the songs was the loneliness of the men while night-herding after bedding the cattle down for the night, and after their comrades, all save one or two, were asleep. Almost universally, cowboys tell me that the voice had a quieting effect, and prevented the cattle from becoming restless or frightened during the long watches of the night. So they were soothed to sleep and soothed after they were asleep, by what the men sometimes called "dogie songs." What was first an incoherent chant or croon, became next fixed cries of tested practical worth, and, finally, a song with

words,—the words perhaps coming in to relieve the monotony of repeating over and over the same calls. A similar development may be frequently observed in the Southern negro. The leader is expected to give the cry for concerted action. Wearying of repeating a single call, he begins to improvise, soon adopts a rhythm fitted to the work he and his companions are doing, and in a short time another negro song is in full swing.

Coming at last to the subject matter of the songs: What are the stories they tell? I have separated my collection into seven divisions; namely: cowboy songs, trail songs, humorous songs, songs of Western experiences and Western life, miscellaneous songs, and Spanish songs. Perhaps some of the titles will give a clearer idea of their contents. Among the cowboy songs are found: The Kansas Line, The Dying Cowboy, A Cowboy's Life, A Midnight Stampede, The Range Riders, The Cowboy's Lament, The Cattle Stampede, The Cowboy Renegade, The Melancholy Cowboy. Among the trail songs, A Cowboy Song, The Lone Star Trail, The Crooked Trail to Holbrook, The Chisholm Trail, John Garner's Trail Herd. Others from different groups are: The Dying Ranger, Mustang Gray, Rangers on the Scout, The Texas Rangers, California Joe, Cole Younger, The Great Roundup, The Dim Narrow Trail, The Zebra Dun, When Bob Got Throwed, The Tenderfoot Cowboy, The Cowboy's Hopeless Love, Joe Bowers from Pike, The Buffalo Skinners, Freighting from Wilcox to Globe, The Days of Forty-Nine, The Trials of a Mormon Settler, The Bishop's Lament (another Mormon song), Buckskin Joe, The Dreary Black Hills, The Dying Californian, The Home of the Range, and many others.

Grouping the songs according to subject matter, it is seen that they treat of the troubles between Texas and Mexico; of the Texas Rangers, with whom the cowboys maintained close relations,—often, indeed, their work was identical. They tell of the cowboy's home, his mother, his sweetheart; they make heroes of outlaws such as Sam Bass, Jesse James, and Cole Younger; they often reproduce versions of the old-world ballads or the later broadsides; they treat in particular of the cowboy's daily routine of life, his hardships, his troubles in the frontier towns where he occasionally visits; his mix-ups with the law, which he has come to look upon as an infringement of his liberty;

his thoughts of death, at all times very close to him. Some typical stanzas from the songs may be the best means of setting forth exactly what they are. I quote the first six lines of one which refers to the fall of the Alamo:

> It was one Domingo morning, just at the break of day,
> That holy Sabbath morning when Christians went to pray,
> The Texas bugle sounded the final overthrow
> Of Freedom's sons surrounded, in the fatal Alamo.
> And across the lonely prairie there comes a tale of woe
> From Guadulupe's azure tide to the fatal Alamo.

When Mustang Gray, a famous Texas ranger, died, a song was made about him, telling something of his history. The chorus of this song runs:

> No more he'll go a-ranging the savage to affright;
> He has heard his last warwhoop and fought his last fight.

Among the warnings of another ranger is this stanza:

> Perhaps you have a mother, likewise a sister, too,
> And maybe so a sweetheart to grieve and mourn for you.
> If this be your condition, although you'd like to roam,
> I'd advise you by experience, you had better stay at home.

Again, a ranger sings:

> Though sore it may grieve you,
> The ranger must leave you,
> Exposed to the arrow and knife of your foe;
> So herd your own cattle and fight your own battle,
> For home to the states we are determined to go.

The cowboy sometimes spoke of nature:

> My ceiling is the sky, my floor is the grass,
> My music is the lowing of the herds as they pass;
> My books are the brooks, my sermons the stones,
> My parson is a wolf on his pulpit of bones.

Or again:

Oh, I love these wild flowers in this dear land of ours,
  The curlew I love to hear scream;
And I love the white rocks and the antelope flocks
  That graze on the mountain tops green.

We do not usually think of the cowboy as a religious person. He says himself, "For on the plains we scarcely know a Sunday from a Monday." They, however, sing of God in terms of familiarity and in the language of the range:

They say He will never forget you,
  That He knows every action and look,
So for safety you had better keep branded—
  Have your name on His big Tally Book.

If the cowboy ever gets to Heaven, it will probably be without the proper earmarks, for as he says:

Perhaps I will be a stray cowboy,
  A maverick, unbranded on high,
And get cut in the bunch with the "rusties,"
  When the Boss of the Riders goes by.

And again,

Last night as I lay on the prairie,
  And looked up at the stars in the sky,
I wondered if ever a cowboy
  Would drift to that Sweet Bye and Bye.

Still another cowboy sings:

At midnight, when the cattle are sleeping,
  On my saddle I pillow my head,
And up at the heavens lie peeping
  From out of my cold, grassy bed,—
Often and often I've wondered,
  At night when lying alone,
If every bright star up yonder
  Is a big peopled world like our own.

Like other boys who have drifted away from home, the cowboy's thoughts often went back to the place of his childhood. In the Dreary Black Hills, he sings:

> Don't go away, stay at home if you can;—
> Stay away from that city,
> They call it Cheyenne;
> For Old Sitting Bull and Comanche Bills,
> They will lift up your hair
> On the Dreary Black Hills.

Again,

> And it's home, dearest home, over the Gila
> In the white man's country;
> Where the poplar and the ash and the oak will ever be
> Growing green on the Gila,
> There's a home for you and me.

Sometimes he sings of his Western home:

> Home, home on the range,
> Where the deer and the antelope play;
> Where seldom is heard a discouraging word,
> And the sky is not cloudy all day.

Often he tells of the cause that sent him roving. Occasionally it has been his sweetheart:

> These locks she has curled, shall the rattlesnake kiss?
> This brow she has kissed, shall the cold grave press?

His nearness to Mexico now and then brings about a romance:

> A senorita loved him, and followed by his side,
> She opened wide the gates and gave to him her father's steed to ride;—
> God bless the senorita, the belle of Monterey,
> She opened wide the prison door and let him ride away.

Sometimes he speaks of her in jocular familiarity:

> There was a little gal,
> And she lived with her mother;
> All the devils out of hell
> Couldn't scare up such another.

More often, however, his songs tell of his thoughts of her at death's dim hour:

Tell her when death was on my brow
  And life receding fast,
Her looks, her form were with me then,
  Were with me to the last.

On Buena Vista's bloody field,
  Tell her I dying lay,
And I knew her thoughts were with me
  Some thousand miles away.

In one song he goes back East to his old home and finds his sweetheart married. After being begged by her to stay at home, he retorts:

O, it's curse your gold, and silver, too,
Confound a girl that won't prove true.
I will cut my way where the bullets fly
And stay on the trail till the day I die.

Another cowboy was spared the trip East by receiving a letter:

One day I got a letter from my dear, kind brother Ike,
It came from old Missouri,—yes, all the way from Pike;
It said my Sallie was fickle, her love for me had fled,
That she had married another whose hair was awful red,
It told me more than that, it's enough to make me swear,—
It said that Sallie had a baby and the baby had red hair.

Persistently, nevertheless, did his life of privation drive him to thoughts of the comforts of home:

Speaking of your farms and your shanty charms,
Speaking of your silver and gold,—
  Take a cowman's advice,
Go marry you a true and lovely little wife,
Never to roam, always stay at home;
  Take a cowman's advice, a cowman's advice,
Way up on the Kansas line.

The men who are his heroes may have been lawless desperadoes, as was Robin Hood, but they are at least brave.

They never would flinch, whatever the pinch,
  They never would fret or whine;
Like good old bricks, they stood the kicks
  In the days of Forty-Nine.

Of Jesse James, a song says:

Jesse James was a man, a friend of the poor,
He never would see a man suffer pain.
All the people held their breath
When they heard of Jesse's death,
  And they wondered how he came to die;
But the dirty little coward who shot Mr. Howard,
  He killed poor Jesse on the sly.

When Jim Murphy betrayed Sam Bass, the Texas outlaw, and aided in his capture and death, the unknown chronicler sings:

He sold out Sam and Barnes,
  And left their friends to mourn;
O, what a scorching Jim will get
  When Gabriel blows his horn.

The greater portion of the songs, however, deal with the cowboy's own experiences with life. In one of them, he says:

O, the cowpuncher loves the whistle of his rope,
  As he races over the plains;
And the stage driver loves the popper of his whip
  And the jingle of his concord chains.
And we'll all pray the Lord that we will be saved,
  And we'll keep the golden rule;
But I'd rather be at home with the girl I love
  Than to monkey with this dad-blamed mule.

He boasts in another:

I'm a rowdy cowboy, just off the stormy plains;
My trade is cinching saddles and pulling bridle reins.
Oh, I can tip the lasso, it is with graceful ease
I rope a streak of lightning and ride it where I please.

A rainstorm at night on a drive meant activity for all:

I've been where the lightnin', the lightnin', tangled in my eyes,
The cattle I could scarcely hold;
Think I heard my boss man say,
I want all brave-hearted men who ain't afraid to die
To whoop up the cattle from morning till night,
All out in the midnight rain.

He talks familiarly to the little "dogies," the runt yearlings, that always bring up the rear of a large herd:

Get along, get along, little dogies,
You are going to be the beef steer bye and bye;
Your mother, she was raised way down in Texas,
  Where the jimson-weed and sand-burs grow.
Now we will fill you up on prickly-pear and cholla
  Till you are ready for the trail to Idaho.

O, you will be soup for Uncle Sam's Indians;
  It's "beef, heap beef," you will hear them cry.
Get along, get along, little dogies,
  For the Indians, they will eat you bye and bye.

And again:

Early in the spring we round up the dogies,
Mark and brand them and bob off their tails,
  Round up our horses, load up the mess wagon,
And throw the dogies up on the trail.
It's whooping and yelling and driving the dogies,
  O, how I wish you would go on;
It's whooping and punching and go on little dogies,
For you know Wyoming will be your new home.

Still another cattle driving song runs:

It is out on the road these sights to be seen,
The antelope, the buffalo, the prairie all so green;
  The antelope, the buffalo, the rabbit jumped so high,—
It's whack the cattle on boys,
  Root hog, or die.

Often the cowboy warned his hearers against the hardship of the life on the range:

Come, all you Texas cowboys,
  And warning take from me,
And don't go to Montana
  To spend your money free;
But stay at home in Texas,
  Where the works they are the year around,
And you will not catch consumption
  A-sleeping on the ground.

Again, another song says:

The cowboy's life is a dreary, dreary life,
  He is driven through the heat and cold;
He is almost froze with the water on his clothes
  A-riding through the heat and cold.

Sometimes he would get into money troubles and go on a strike:

I went to the boss to draw my roll,
And he had it figured out
I was nine dollars in the hole.
I will sell my outfit just as soon as I can—
I won't punch cattle for no damned man.

Another cowboy chants:

I have seen the fruits of rambling,
  I know its hardships well;
I have crossed the Rocky Mountains,
  Rode down the streets of hell.
I have been in the great Southwest,
  Where the wild Apaches roam,
And I will tell you from experience,
  You had better stay at home.

Sometimes he is frank enough to confess that all his troubles were not due to the exposure and hard work of a cowboy's life:

It's beefsteak when I'm hungry
And whisky when I'm dry;
Rye whisky, rye whisky, rye whisky, I cry;
If I don't get rye whisky,
I surely will die.

Jack of diamonds, Jack of diamonds, I know you of old,
You've robbed my poor pockets
Of silver and gold;
Whisky, you villain,
You've been my downfall.

You've kicked me, you've cuffed me,
But I love you for all.
Baby, O baby, I have told you before,
Do make me a pallet,
I'll lay on the floor.

Still another gives us a glimpse of the sad ending of many a rough rider.

It was once in the saddle
I used to go dashing;
It was once in the saddle
I used to go gay.
First to the dram house,
Then to the card house—
Got shot in the breast,
I'm dying to-day.

At times his songs treat of one in the grip of the law:

And you have your liberty
  Pray keep it if you can,
And don't go round the streets at night
  To break the laws of man;
For if you do, you'll surely rue
  And find yourself like me,
Serving out my twenty-one years
  In the state penitentiary.
Clink, clink, clink, clink, clink,
O, don't you hear the clinking of my chains!

He often regrets his evil ways:

If I had listened to my mother,
  I would not have been this way,
But being young and foolish,
  I threw myself away.

The jury found me guilty,
  In the very first degree;
Farewell, my honored lady,
  I died for love of thee.

The cowboy's thoughts naturally ran on death, for death was at all times at his shoulder-blade. In one of his songs he begs his comrades:

> O, bury me not on the lone prairie,
> Where the wild coyotes will howl o'er me,
> Where the rattlesnakes hiss and the crows sport free,
> O, bury me not on the lone prairie;

but as the song concludes,

> They buried him there on the lone prairie,
> Where the owl all night hoots mournfully,
> And the blizzard beats and the winds blow free
> O'er his lonely grave on the lone prairie.

A stampede occurs; a cowboy is killed. The herd moves on, leaving a mound by the trail:

> Poor Charlie was buried at sunrise, no tombstone at his head,
> Nothing but a little board, and this is what it said:
> "Charlie died at daybreak, he died from a fall,
> And he'll not see his mother when the work's all done this fall."

The Dying Ranger ends similarly:

> Far away from his darling sister,
> We laid him down to rest,
> With his saddle for his pillow
> And his rifle across his breast.

But the cowboy was not long serious. He could joke about the most serious things, even at death itself:

> He'd ante you a stud, he could play you a draw,
> He'd go you a hatful, blind;
> In a struggle with death, Bill lost his breath
> In the days of Forty-Nine.
>
> And old Aunt Jess, like all the rest,
> At death he did resign
> And in his bloom went up the flume
> In the days of Forty-Nine.

For all his reckless dare-deviltry, the cowboy was popular; in fact, we who have lived near him, yet love him, and revere and honor his memory.

Then swing your rope slowly and rattle your spurs lowly
And give a wild whoop as you carry me along;
We all love our cowboys, so young and so handsome,
We all love our cowboys although they've done wrong.

These excerpts have perhaps conveyed a more satisfactory idea of the entire collection than would the printing of three or four songs entire. Of course the hand of the conventional verse-maker is frequently seen. It seems to me that there is present, also, the ballad instinct of the race, temporarily thrown back to primitive conditions, again actively at work. How much relationship really exists between these songs and the ballads in the Child collection, I am not ready to surmise about. Some day I hope to have evidence that will throw light on the question.

A short time ago a former freshman student of mine from Northern Arizona, now turned rover again, sent me some verses. Whether he wrote them himself or got them from some one else, I shall probably never know. There is in them a little of the deep solemnity, the poignant loneliness, the big, flat dreariness of our Western plains; and they come from the heart of a real cowboy, speaking familiarly to his herd in the stillness of the night:

O, slow up, dogies, quit your roving round,
You have wandered and tramped all over the ground,
O, graze along dogies, and feed kinda slow,
And don't forever be on the go,—
O, move slow, dogies, move slow.

I have circle-herded, trail-herded, and cross-herded, too,
But to keep you together, that's what I can't do.
My horse is leg-weary and I am awful tired,
But if I let you get away, I am sure to get fired,—
Bunch up, little dogies, bunch up.

O say, little dogies, when you going to lay down
And quit this forever shifting around?
My limbs are weary, my seat is sore:
Oh, lay down, dogies, like you've laid down before,—
Lay down, little dogies, lay down.

Oh, lay still, dogies, since you have laid down,
Stretch away out on the big open ground;
Snore loud, little dogies, and drown the wild sound
That will all go away when the day rolls around,—
Lay still, little dogies, lay still.

I cannot in this preliminary paper on what I believe to be an inconsiderable portion of the cowboy songs, do other than briefly suggest a few of the interesting problems that a full collection will surely raise. In addition to the question of origin, transmission, and consequent variation in both words and music, the student of language will find in them a lot of material worthy of his attention. The cowboy represented a virile type. The expression of his emotion in the form of verse would be interesting, even if he did not employ unusual methods in giving it vent. The chief charm, it is true, lies in his direct simplicity. In him, it seems to me, we come very close to the primal man. He sings of his sufferings, his experiences, his recollections, his hopes,—just the things that affect his daily life. He develops his own rules of grammar; he employs words in unusual meanings; he borrows from the Spanish *vaquero;* often he coins words; he creates a vernacular that is so apt and telling that some of the words have found lodgment in the conservative East, and are now in the best dictionaries. For example, as the story runs, a man by the name of Maverick, living near San Antonio, Texas, acquired the habit of putting his brand on any unbranded steer he happened to run across. Soon, thereafter, any unbranded steer whatever was called a "maverick" by the cowmen; and now the word maverick is commonly used in the West as a noun, as a participle, as an adjective, and as a verb.

Examples of curious changes due to oral transmission occur in great variety, while surprising and often ludicrous cases of folk etymology are limited only by the number of copies of the song collected from different localities. We know that by derivation the word ballad means a dance-song. The cowboy songs can lay no claim to being influenced by the motions of the dance, although it is a fact that the metre of some is such that the singing of the songs is an admirable substitute for the dance-music whenever the fiddler fails to come. The metre of the cowboy verses may have been influenced by the movement of his pony,

the slow, monotonous rolling on of large herds of longhorn cattle, the jingle of the curb-chain of his bridle, or the musical tinkle of his big belled-spurs. Possibly, also, the chorus of some of the trail songs grew out of Indian yells.

I find skepticism especially strong as to the existence of a distinct cowboy music. Without professing any technical knowledge, I am, nevertheless, confident from what my own uncultivated ears have heard, that when the tunes I am collecting are published, the verdict will support my contention that there is a genuine cowboy music. Many of the tunes will no doubt be found to be borrowed or adapted, as is indeed true of the words of some of the songs; yet there will be enough left to furnish a basis for the claim. Of this I have no doubt.

For most people, the light that these songs will throw on the unique figure of the cowboy will be of greatest interest. Still very much misunderstood, he is almost universally caricatured both by the press and by the stage. Perhaps these songs, which come direct from the cowboy's heart, picturing his careless and his tender emotions, as well as the daily routine of his life, will give future generations a truer conception of what he really was than is possessed now by those who know him only through romances. At any rate, the songs seem to me, and to other far more competent judges, worth preserving. Unless they are soon rescued from oblivion, they, along with the big cattle ranches, the roundup, the trail, will disappear. A few more years and we shall know the real cowboy no longer except through some such records as the songs he sang. He has never concerned himself about his own history.

To the cowboy, more than to the goldseekers, more than to Uncle Sam's soldiers, is due the civilization of the West. Along his winding cattle-trails, the Forty-Niners found their way to California. The cowboy has fought back the Indians ever since ranching became a business and as long as there were Indians to fight. He was the Natty Bumppo of the Southwest; he played his part in winning the great slice of territory that the United States took away from Mexico; he was the forerunner of the pioneer. Restless, adventurous, fearless, bold as the sea-barons of *Beowulf*, he lived hard, shot quick and true, and, not nearly so often as one might suppose, "died with his boots on." Many

of the most wealthy and respected citizens of the border States served as range riders before settling down to quiet domesticity. The songs the cowboy made to soothe his loneliness, to entertain his friends, and to help him in his work should, and doubtless will, become an essential part of his history.

ADDRESSES DELIVERED ON THE OCCASION OF THE PRESENTATION TO THE UNIVERSITY OF THE PORTRAITS OF CHARLES DURAND OLDRIGHT AND GEORGE W. BRACKENRIDGE, JANUARY 14, 1911

ADDRESS OF PROFESSOR M. B. PORTER, PH. D., ACCEPTING ON BEHALF OF THE UNIVERSITY THE PORTRAIT OF CHARLES DURAND OLDRIGHT

Charles Durand Oldright, whose portrait has just been presented to the University, was a member of the class of '92, and graduated with distinction, both in the faculties of science and of letters.

After some years spent in travel, and study abroad, he returned to take an appointment in the Zoological Laboratory under his old friend and teacher, Professor Norman. His untimely death a few months later brought to a sudden and pathetic end a career fair with the promise of great usefulness.

Like most naturalists, he manifested early a passion for observation and collecting, and even before his undergraduate days he had stored his mind with a wealth of curious lore of birds and plants. Though self-taught, his knowledge of ornithology could even then challenge respectful attention. But his knowledge was not merely gleaned from books; he was primarily a field naturalist, and delighted in studying the habits of wild things, marking the song of birds, where and how they built their nests, or journeyed on long migrations to distant lands. Yet, with all his attainments in natural lore, such was his modesty that he made no display of it. His associates knew him rather as a clever, delicate writer of sketches dealing with nature, and those who glance through the files of the *Magazine* of those days will find many a charming bit of verse or prose idyl to attest the deftness of his touch and the refinement of his imagination.

His love for literature made him a wide and discriminating reader. He was conversant with much that is best in English

and German letters, and the rhythm of our great poets and philosophers stirred alike his mind and heart. Indeed, so marked was his literary bent that it might well be doubted whether his death was not rather a loss to letters than to science. But he was concerned not merely with literature as an art. With the aid of the great philosophers, he sought to fathom the perplexing problems that underlie our human experience, and the enigmas of metaphysics teased his imagination with their subtlety and deep significance.

It is most appropriate, therefore, that he who lived so largely in the world of the ideal should have his name and memory perpetuated by a Fellowship in Philosophy. Thus commemorated, his will be an unfading youth amid the scenes he loved and in which he spent his happiest days.

Material monuments crumble with time, political systems die, but a University, created and fostered by a great commonwealth, is a living organism. She is blessed with the perennial youth of the succeeding generations who throng her halls. She guards with jealous care the memory of her benefactors, and she will not soon forget this son of her early years cut down in the flower of youth.

The University and Oldright's many friends rejoice that a mother's love and devotion has made possible this noble tribute to her beloved son. The officers and students of the University accept with pride and gratitude this memorial of one whose name they delight to honor and perpetuate. He would not have desired, and none could wish him, a fairer immortality.

ADDRESS OF JUDGE A. W. TERRELL, OF AUSTIN, PRESENTING THE PORTRAIT OF COLONEL BRACKENRIDGE

The Alumni of the University and the Board of Regents have requested a portrait of Hon. George W. Brackenridge that the same may be placed here as a tribute to him from those who know him as a man and as a memorial to attract the attention of those who will come after us.

George W. Brackenridge has been a member of the Board of Regents for more than twenty-five years, under appointment by six Governors in succession. When we remember that each of

these Governors was a Democrat, that Mr. Brackenridge is a Republican, and that he is the only Republican who for the last twenty-five years has been appointed by a Governor to a State office, a curiosity is aroused to know something of his character and life. It is my pleasing task to speak of him in the light of an intimate friendship of more than half a century.

His grandfather presided for forty years as pastor of the First Presbyterian Church of Washington city, of which President Adams was a member, and he was chaplain of the United States Senate for nearly twenty years. His father was a distinguished lawyer of Indiana, whose eloquence and advice inspired the ambition of the farm boy—Abe Lincoln. That father, though an ardent Whig, yet served in the Legislature of Democratic Indiana, and as a presidential elector canvassed for Henry Clay. It was only natural that George W. Brackenridge became a staunch supporter of the Union of the States.

His father was a native of the District of Columbia; his mother of Kentucky; they were married in Indiana, where on this day of the month seventy-nine years ago this son was born. He was educated in the common schools—private schools—Hanover College, the University of Indiana, and finished the study of law at Harvard. He is the descendant of a long line of ancestry which can be traced east and west and south by the churches and the school houses they left behind, some of them still identified with the names of their founders.

While the keynote of those ancestors was duty, in this their son the word has changed to fidelity. Faithful in the performance of duty, loyal to every promise, true to his ties of kindred, he is in truth a noble son, a faithful brother, a loyal friend. Unyielding in principle, honest as a boy when he worked on the farm, faithful as a surveyor when he carried the compass and chain in his early manhood, energetic in business, dignified and upright in character, possessing a boundless gift of hospitality and a reserve fund of knowledge, yet but little is known of him through the newspapers or political exploitation, though his life has been an eventful one.

While yet a boy he arrived in Texas with his father in 1851, and was employed in Port Lavaca. His recreation then consisted in skiff rides and in voyages over Lavaca Bay, where

today his comfortable houseboat welcomes his friends and gives him necessary change in his busy life. The villages along the coast welcome the coming of the boat of the Brackenridge brothers, "The Navidad," named for the river near their father's house—a great white mansion, filled with books and bright with young people in the years before the war.

With varied fortune in those years Mr. Brackenridge had become famous as a West Texas land owner. Three years of drouth shattered this fortune, and when the end came in 1857 it left him penniless, but free from debt; he walked back to the paternal home, for his saddle horse had been sacrificed to pay debts and he had no money for stage fare. Then he began his career in Jackson County as county surveyor, and the happy life of the embryo scientist with instruments and books and the pleasures of home. It was built near the border of the great forest and the boundless prairie over which the western sun sank in ocean glory. Though he was surrounded by the comforts of home and the beauties of nature, his happiness was soon ended by the public sentiment caused by the approaching war.

We next find him in business on the Rio Grande, buying and shipping cotton, clerking on a steamboat, and, last, in a hurried flight in a skiff and a rescue by a gunboat. Three of his brothers espoused the cause of the Confederacy.

Then he became a treasury agent of the United States, with headquarters at New Orleans, where he was a friend, benefactor, and employer of many noted Texas men. When the war closed, though millions had passed through his hands as the agent of the Government, his salary had been devoted chiefly to the support of Southern Union refugees, or prisoners in New Orleans, among whom was one of his brothers, and it was necessary to borrow funds to reach New York. There, with the encouragement and assistance of a merchant—Charles W. Stillman—with whom he had been associated on the Rio Grande, he was enabled to start the San Antonio National Bank, whose charter was dated July 4, 1866. Prosperity attended that institution, and at no time have its depositors suffered any restrictions of their right to draw their deposits—a noble record. Not waiting for age or wealth to arrive, the generosity of this banker kept pace with his prosperity.

Every successful man has in early life been dominated by some master motive that directed his efforts. Some stifle every noble impulse to grow rich, until death relaxes their grip. Some tread the devious ways of ambition and think only of self. A few—a very few—are animated by love for their fellowmen and labor to accumulate fortune in order to help them. Mr. Brackenridge became profoundly impressed with the dangers to our free institutions from the ignorance of the people. He saw in that ignorance the great cause of the misery of the masses and resolved before he was thirty years old to dedicate his energies to the acquisition of wealth in order that he might help his fellow-man—not man alone, but woman as well, for he saw the relic of a barbaric age in the laws which deny to the wife all the civil rights enjoyed by the husband. He is the first bank president in Texas who had a woman on his board of bank directors. Animated by this feeling, he and his family have for years kept a number of deserving and intellectual young ladies of moderate means at colleges and universities to equip them for life or the profession of medicine. To be exact, there are sixteen now being so educated—ten in the Medical Department of this University.

His services as Regent of the University have been invaluable to higher education, and more than any other man living or dead has he shaped its policy and helped its progress.

While higher education is necessary to advance civilization, yet, if the submerged millions remain in ignorance, freedom secured by equal laws can not endure. He has, therefore, not confined his beneficence to this University, for the great work of the common schools has received his persistent aid. He has bestowed large sums in the construction of school buildings in three Texas cities and in the country districts. No imposing headlines in newspapers ever announce his gifts, for he tries to observe the same secrecy in his benefactions that has promoted his business success.

In the city of San Antonio alone four costly school buildings bear his name in token of his generosity. The imposing building on this campus, in which many hundred young men of moderate means have been sheltered and fed for the price of a saddle horse each year, was almost finished before the public knew the

money of Mr. Brackenridge was building it, and then he insisted that it should be called "University Hall," a request that the students do not observe, for they persist in calling it "Brackenridge Hall." He gave this University the large building in Galveston for female students, and as often as the parsimony of the State has left other buildings unfinished, he has told the Regents to go ahead and the money would be furnished—and it was. The House of Representatives extended the thanks of the State of Texas to Hon. George W. Brackenridge for his gift to the University of Brackenridge Hall, February 25, 1891.

His gift to San Antonio of Brackenridge Park, one of the most extensive and beautiful in the South, and of several hundred acres to this University adjoining the city of Austin, is known to all of you; but you do not know that besides these gifts he has expended chiefly on the great work of education and in benefits to the human race more than one million of money since our Civil War. Most of it was done quietly and with his habitual secrecy.

He has never gained money through trust combinations or laws made to favor predatory methods, which war may destroy or the advancing host of socialism may scatter. His clear mind has never been disturbed by the delusive dream of buying universal peace with money, for if wealth can purchase it, so also it can enforce universal submission to the continuance of partial laws for the favored few. He believes that universal peace can only prevail after the brute instincts of man have been refined, and his mind lifted up by education from the dominion of ignorance.

His chief pleasure has always been found in the seclusion of his library and the companionship of books. This phase of his character is unknown to those who meet him only in the transaction of business, but with men of culture who enjoy his friendship he delights to interchange thoughts on science, history, navigation, astronomy, and philosophy. To describe such a character is embarrassing, for those who know but one side of it may not recognize the other. Through all his eventful life he has kept pace with every department of science in its efforts to utilize the forces of nature; for his library is supplied not only with the best and latest works on science, but with the classics of

Greece and Rome and all that history reveals of the progress of our race.

Perhaps the most severe test that can be applied to the character of a man is to place him in the situation of a slave holder. If with unbounded power to do wrong, he uniformly tries to do right and blends the prerogatives of an absolute owner with the benignant feelings of our nature, we may be satisfied that he is a just man. If, after the slave was emancipated, the former owner helped to prepare him for citizenship, we may be sure that he is a good man. Mr. Brackenridge always believed that slavery was wrong, and when the ballot was conferred on the negro his ignorance became a great peril, and then he built school houses and employed teachers to instruct them. His father had been a slave owner after he came to Texas, and then this son after emancipation calculated the value of the labor of the family slaves during their servitude, and determined to spend that amount of money on the race. He is still doing it; in the county of Guadalupe and elsewhere the work is still going on. This is perhaps a revelation to all of you. It had its origin in a sense of justice and in the religion of humanity. Deeds and not professions furnish the only true measure of a noble manhood, and when this fitful dream called life is ended I had rather my soul take with it the memory of an act like this than all the selfish prayers of a lifetime offered without deeds of self-sacrifice.

When the youth of Texas look on this portrait in future years, they should know something of the man. He is nearly six feet high, and though seventy-nine years old is still erect in his carriage, capable of great endurance, and singularly well preserved. He goes from labor to refreshment in outdoor exercise with all the ardor of youth, and delights in his family boat in company with a few of his old friends and his sister, Miss Eleanor, who nearly always goes with him. Clothed in his sailor garb, working at the ropes and navigating his boat, one would never recognize in him the financier, for he has the rare faculty of discarding all business cares when he is out for recreation.

He has his faults, for who has not? But they are not such as impair the nobility of his nature or the usefulness of his life. Calumny itself has never cast a blemish on the purity of his morals. His idea of the rules that should confine mankind

within the bounds of morality are strict and exalted. He applies the same rule of propriety to both sexes; no man of loose morals is ever admitted to his friendship, and he feels more aversion to the man who is a libertine than to the frail victim of his vices.

He cares less about what other people think of him than any man I ever knew. I am tempted to illustrate this by an incident I witnessed in San Antonio a few months ago. The women of the Salvation Army go to him with confidence for advice and help. Two of them felt much interest in a home being erected with his money on the ground he gave them for the rescue of frail women. One of them said: "That man (calling his name) hates you, and told me to tell you so." Mr. Brackenridge made no answer, but with serene countenance continued to discuss their business. When the ladies had gone and I spoke to him of this strange indifference, his only answer was, "His influence is with bad men and, of course, he hates me."

He avoids all association with vulgarians, and in all my intercourse with him I have never heard him speak a word that a lady would blush to hear. Age has brought to him the venerable dignity of years without destroying the cheerfulness of youth. Though this man never knew the love and society of wife or child, the children of Texas will venerate his name and remember with gratitude his unselfish devotion to their advancement.

The uplifting influence of a life like his will endure as an example and an inspiration. All of us must soon quit this transitory existence, and when the pale messenger approaches our couch with noiseless footstep, neither gold nor diamond-studded gew-gaws can bribe him to delay. In that supreme moment the departing soul will ask itself: "What good works have I done for my country or my fellow-man?" Then the memory of self-sacrifice and loving kindness will come like a benediction to sweeten the death pang and gild with hope the opening visions of the future.

The day will come when the young men of Texas, whose education was promoted by his liberality, will place on the campus in front of this building a full-length bronze statue upon a granite pedestal, with no other inscription than the name of "George W. Brackenridge."

ADDRESS OF HONORABLE EDWIN B. PARKER, OF HOUSTON, ACCEPTING ON BEHALF OF THE UNIVERSITY THE PORTRAIT OF COLONEL GEORGE W. BRACKENRIDGE

Some time ago the Alumni Association of this University, with characteristic directness, unanimously adopted a resolution requesting that "the Hon. George W. Brackenridge of San Antonio, for many years an efficient and generous regent of this institution, present to the University a portrait of himself for careful preservation within its halls."

The Alumni Association manifestly believes in the rule "Ask and it shall be given you." At all events, it has high authority for having pursued this course, and all hesitation or considerations of modesty doubtless vanished with the reflection that Col. Brackenridge has never denied the University any reasonable request. When we look upon this canvass, upon which the clever brush of the artist has skillfully portrayed this speaking likeness, we are all agreed that the end justifies the means. Looking upon this portrait I am reminded of the bereaved widow who visited the studio in which was the bust of her beloved deceased, still in the clay, and looking it over with the artist, with tender interest, exclaimed: "It is his very self, his large nose, the sign of goodness;" and then, with tears trickling down her cheeks, added: "He was so good. Please make his nose a little larger." From the view-point of a University man, this is my only criticism upon, the only fault which I can find with this canvass, which shall henceforth grace these halls,—an inspiration to generations yet unborn to emulate the noble and generous example of him who is here portrayed, that human art cannot adequately reproduce that all-pervading spirit of gentle strength, that captivating expression of profound and discriminating goodness which God has stamped upon the features of the original. The canvass is too small to make the nose large enough.

Col. Brackenridge has served more than twenty-four years as a regent of this University, six years longer than any other

man in a like capacity. When it is considered that he is a very busy man and that his large and diversified individual business interests necessarily make large requisitions upon his time, which is not purchasable at any price, then only can the true value of these long years of service freely given to the University without money and without price be fully appreciated. Under his guiding hand as chairman of the land committee of the Board, the income from University lands has been increased from $10,000.00 to $120,000.00 per annum. During the past year, largely through his efforts, a sale has been made of guayule, or rubber plant, on a portion of the University lands for a total consideration of $30,000.00.

Among his numerous gifts to the University I recall (1) the old Brackenridge Hall, connected with the Main University, completely furnished at an estimated cost of $20,000.00; (2) five hundred acres of land near Austin, conservatively valued at $25,000; (3) the Woman's Hall, connected with the Medical Department, completely furnished, costing approximately $50,000.00; (4) the Isabella H. Brackenridge Medical Fellowship for women, endowed with $5,000.00; and (5) ten additional medical fellowships for women, to each of which he contributes annually $250.00. When it is considered that there are only eleven women studying medicine at the University, it is apparent that he is subsidizing all of them. From this enumeration of Col. Brackenridge's gifts to the University it will be seen that he is partial to the young ladies. Perhaps this—shall I say weakness—on his part may be attributed to an effort to appease his conscience because of his failure to make some one woman a good husband; now he stands the champion of the sex. He is a strong believer in co-education, and has always insisted upon the employment of a reasonable number of women as instructors.

It is perhaps not improper for me to say that there is a very well defined suspicion in University circles that the anonymous founder of the school of domestic science in this institution, with an income of $6,000.00 per annum, is none other than the senior member of the Board of Regents, who delights in doing good by stealth. I do not mean, however, to measure, as we are so often tempted to do, the greatness of his

benefactions solely by size, but in quality they measure up to the most exacting standards. In his quiet, unostentatious way he has done much to people these halls and this campus with bright, cheerful, wholesome, happy faces, the most beautiful feature of a charming landscape. He has so disposed of his time and wealth as not only to upbuild this institution, but through it to build strong, resourceful, patriotic men and women.

And this suggests the inquiry,—what do we who have already gone out from these halls, and you who are still the recipients of the State's bounty, owe to the University, when will the debt mature, and how shall we pay it? In this connection I am reminded of a cenversation between two members of the Association which I have the honor to represent today, when one called upon the other for a contribution to a gymnasium fund and was met with the inquiry: "What has the University done for me?" The other looked him over from head to foot, took note of his stooped shoulders, contracted chest, spindling legs and arms, and general unprosperous appearance, and replied: "I guess you are right; I withdraw the request; apparently you owe the University nothing." Even a university can't make a silk purse out of a sow's ear. But this case is the rare exception. The great majority of those who go out from these halls owe the University and the State a heavy debt which can be paid in part at least by clean, strong, progressive citizenship, by standing for all that is best in social and business intercourse, for the suppression of the demagogue in politics, the hypocrite in religion, the charlatan in the professions, and the elimination of the drone or parasite from all the walks of life. Our training here should fit us to *do* as well as *know*. Learning is of real practical value to the world only to the extent that it is broadly educational, and tends toward solving the social and material problems which confront us. The State has a selfish interest in subjecting its students, who are destined to pilot the ship of state, to a training calculated to produce a scientific habit of thought—a habit of concentration, of selected observation and constructive imagination, a habit of carefully examining every side of every question, of knowing the *reason,* not the mere formula or rule; of looking beyond

words and signs, and seeing and understanding facts and things. The phenomenal growth of our country in population, in commerce, in all industrial pursuits, in labor-saving inventions, in transportation facilities, all combine to bring about new and complex conditions calling for new rules or new applications of old rules to govern them. The State has a right to turn to its wards, whom it has laboriously trained, to pilot it safely over these uncharted seas. The University is training you, who are still its students, to grapple with and solve the practical problems of life. The day of the University defined by Lowell as "a place where nothing useful is taught," has happily passed, and instead of a scholastic cloister it has been converted into an organization for the equipping of young men and young women in a broad and practical way for the real battles of life, with a view to enabling them to serve society efficiently in the largest possible way. By so doing we can, in a measure, pay the debt we owe the State.

But our obligation does not end here. We must remember that there are other generations to follow who must be trained and educated. The University must keep pace with the growth of the State in population and material prosperity, and this means that funds must be liberally supplied by the State in the form of a fixed special tax or otherwise, and we may reasonably expect such funds in time to be handsomely supplemented by endowments by individuals. It shall be the duty of the Alumni to see to it that such funds are forthcoming. The men of ability and learning among us, whose training and inclination lead them to devote their lives to independent investigation, research, and experiment, should be given employment which will enable them to get results along these lines, and not be loaded down with such taxing duties of administration or tuition as to render it quite impossible for them to concentrate their minds on independent investigation. Just here is where the wealthy patron and promoter of education (among whom let us hope will be numbered many of our alumni) comes in. Stephen Girard, the greatest merchant of his day, bent his powerful mind on the accumulation of wealth with a fixedness of purpose such as only a really great man is capable of, not for wealth's sake, but that thousands of help-

less orphans through countless years should be adequately equipped for the battles of life. His service to the cause of education was certainly not less than that of one who buries himself in his laboratory or library in pursuit of truth for truth's sake. Traveling by different routes, both seek the same ultimate goal. Each is necessary to the working out of the great plan of universal education and the solution of the great problems of life. The accumulation of wealth through well-directed industry and conspicuous ability with the ultimate object in view of using its concentrated power in the cause of education, is certainly commendable. Col. Brackenridge has set us all a noble, generous example. This portrait will be a constant reminder, not only to this generation, but to future generations, of the duty which we owe to the cause of education, and his example will prove a stimulus and an inspiration to all who come after him.

SOME CAUSES OF THE TEXAN DECLARATION OF INDEPENDENCE*

BY EUGENE CAMPBELL BARKER, PH. D., ADJUNCT PROFESSOR OF AMERICAN HISTORY

Since we are commemorating today the most heroic event in the history of our State, its declaration of independence from Mexico, it cannot be amiss to examine some of the causes of that declaration and some of the conditions under which it was issued. Much has been said of the causes. Until a few years ago historians of the United States were able to see in it nothing but the culmination of a wicked plot to wrest from Mexico her most valuable province for the benefit of Southern slave owners. Texas historians have explained it as the logical reply to unbearable Mexican oppression. The declaration itself attempts to make such an explanation. But neither of these is the true cause. Certainly there was no premeditated intention on the part of Southern slave holders to appropriate Texas; and it is at least doubtful whether the actual grievances of the Texans were serious enough to justify the declaration. Its real causes can only be made clear by a study of the conflicting civilizations of the Mexicans and the Texans. Professor Garrison has well characterized the whole history of Texas as "a contest of civilizations," and the Texas revolution was pre-eminently such a contest. Viewed from the standpoint of racial inheritance, the declaration of independence was inevitable.

More than a century before the first permanent white settlement was established in Texas, English radicals, discontented with one of the most liberal governments that then existed, were crossing the Atlantic to seek freer conditions in America. Here the formation along the coast of an aristocratic feudal society in the South and of a wealthy and conservative merchant class in the North drove the extremists into the Western interior.

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*Faculty address at the celebration of Texas Independence Day by the students of the University of Texas, March 2, 1911.

For a hundred years the ancestors of the founders of Texas cultivated in the uplands of Carolina, Virginia, and Pennsylvania the sturdy pioneer virtues of self-reliance, independence, and efficiency. In the last twenty-five years of the eighteenth century they crossed the mountains and subdued the wildernesses of Kentucky and Tennessee; in the first twenty-five of the nineteenth century they filled nearly all the other territory between the mountains and the Mississippi, established two states west of that river, and began pouring into Texas. Generations of living upon the western edge of civilization bred in them the purest principles of practical democracy, and habits of local self-government. They gained through hard experience the ability to manage their own affairs, and they demanded the right to do so.

On the other hand, what of the Mexicans? Accustomed from the discovery of America to a despotism that dictated not only their actions but controlled their very thoughts, the people developed neither capacity nor intelligence. When the well-merited misfortunes of Spain enabled them to establish their independence in 1821 they were little better than political infants. The French revolution had familiarized them with the sound of the word liberty, but only here and there could one of them appreciate its meaning. After some experimenting they decided to establish a republican government, and in 1824 adopted a constitution similar to that of the United States; but a dozen years of revolutions and insurrections proved that the people were not prepared for it. For Mexico there was at that time no middle ground between despotism and anarchy.

It was during these same years that the Anglo-Americans settled Texas. They came with the usual pioneer contempt for all foreigners, forgetting that they were the aliens in Texas, and their observation of a decade of turmoil and political helplessness did not increase their respect for the Mexicans. They broke none of the bonds that bound them to the United States, and formed no real ties with Mexico, not even a geographical one, for hundreds of miles of desert separated Texas from the rest of Mexico. In the United States they bought food, clothes, tools, and machinery, and sold cattle, skins, and surplus agricultural products. Their newspapers were from the United States;

they educated their children there; and so slight was the connection with Mexico that Texans who went to Mexico by sea had frequently to go by way of New Orleans, because there were no regular vessels sailing between Texas and Mexican ports.

Shifting policies and party wrangles did not blind Mexican statesmen to the danger of losing Texas. They tried to break its connections with the United States by forbidding further immigration from that country, and unite it to Mexico by establishing commercial relations and founding Mexican colonies. Unfortunately, Mexicans who were free to choose refused to come to Texas, so the government determined to establish convict colonies and send here those who had no option. The Texans resented these measures. The sorrow with which they saw the door closed upon friends and relatives in the United States was only equaled by their indignation at the prospect of seeing Texas over-run by the criminals and vagabonds of Mexican jails. But their opposition convinced the government of the urgent need of action and caused it to redouble its efforts, and these, in turn, increased the wrath of the colonists. Ten years of traveling around this vicious circle consumed the patience of all, and brought Santa Anna to the head of the Mexican government. To the uneasiness caused by the independent tone of the colonists was added the fear aroused by a persistent attempt of the United States to purchase Texas. Beyond any doubt Santa Anna believed, as other prominent Mexicans had believed before him, that the province was all but lost. He resolved to save it, and, although his methods cannot be too harshly condemned, we must admit that his aim was entirely proper.

This is not the place to review in detail the causes of the Texas revolution. It was due less to actual oppression than to ineradicable racial qualities which made it impossible for Mexicans and Texans to understand each other. This is not an apology for Mexico's policy, nor is it intended to condone the events of the war: it is, I believe, a statement of simple truth. Our glory is not to be augmented by emphasizing the faults of the Mexicans, and historical justice demands that we measure their actions in the light of their racial experience. Two paragraphs of the declaration of independence suggest the fundamental differ-

ence between the two peoples. The first says that "The Mexican government, by its colonization laws, invited and induced the Anglo-American population of Texas to colonize its wilderness under the pledged faith of a written constitution, that they should continue to enjoy that constitutional liberty and republican government to which they had been habituated in the land of their birth, the United States of America." The other declares that "It [the government] has been, during the whole of our connection with it, the contemptible sport and victim of successive military revolutions, and has continually exhibited every characteristic of a weak, corrupt, and tyrannical government."

In the effort to bind Texas more closely to Mexico, Santa Anna in 1835 filled it with troops, but an unbroken series of victories enabled the Texans to drive them back, and by the end of the year there was not a Mexican soldier in arms east of the Rio Grande. It was at this time that Milam immortalized himself in the storming of San Antonio. But Mexico had men to spare, and the first month of 1836 had not passed before armies were on the march, with Santa Anna himself to lead them. Texas was poorly prepared to receive them. The provisional government was in confusion, and the citizens, intent upon preparations for the spring planting, refused to believe that the province was in serious danger. There were a handful of men at the Alamo, a few under Colonel Johnson and Dr. Grant at San Patricio, and several hundred at Goliad with Colonel Fannin; but most of them were volunteers from the United States. When the convention issued the declaration of independence the forces of Johnson and Grant had already been annihilated, the Alamo was besieged, and an army was maching on Goliad.

The terrible strain under which the convention labored is vividly described in the simple words which one of its members wrote to his wife on March 6, four days after the declaration of independence, and the very day of the fall of the Alamo: "We have alarming news continually from the west; Frank Johnson's division is all killed but five, it is supposed. He saw two shot begging for quarters. Dr. Grant with a company of men is supposed to be all slain. Travis' last express states San Antonio was strongly besieged; it is much feared that Travis

and company is all massacred, as dispatches from that place have been due three days and none have arrived yet. The frontiers are breaking up, Gonzales must be sacked, and its inhabitants murdered and defiled without they get immediate aid. The last accounts the Mexicans were to a considerable number between Gonzales and San Antonio. Fanning is at La Bahia with about 500 men, and is in daily expectation of a visit from Santa Anna. Texas has been declared free and independent, but unless we have a general turn out and every man lay his helping hand to, we are lost. Santa Anna and his vassals are now on the borders, and the declaration of our freedom, unless it is sealed with blood, is of no force. . . . Travis closes his last expresses with these words, 'Help, O my country.' "

No observance of this anniversary should fail to acknowledge the sublime heroism of those devoted men who perished with Travis in the Alamo. But for their noble stand the declaration of independence might never have been issued, for but for it Santa Anna could have swept the country before the convention met and before the people were ready to resist him. They knew the fate that awaited them, but so far as the records show there was never a shadow of wavering among them. One of the privates wrote: "I have been in the field on actual duty more than four months, and have not lost one hour . . . on account of sickness or pleasure. . . . When I left home it was with a determination to see Texas free and independent . . . And I have sanguine hopes of seeing my determination consummated." We know that Crockett was there, livng to the end his motto of "Be sure you are right, then go ahead." Bowie wrote: "We have come to the solemn resolution that we will rather die in these ditches than give up to the enemy. These citizens deserve our protection, and the public safety demands our lives rather than to evacuate this post to the enemy." Every letter from Travis breathed unshakable determination. On February 12, before the Mexicans appeared, he wrote: "We are illy prepared for their reception, . . . Yet we are determined to sustain it [the fort] as long as there is a man left, because we consider death preferable to disgrace, which would be the result of giving up a post which has been so dearly won, and thus opening the door for the invaders to enter the sacred territory

of the colonies." And on February 24 he wrote that glorious letter which has been called "the most heroic document among American historical records."

"To the People of Texas and all Americans in the world:

. . . "I am besieged by a thousand or more of the Mexicans under Santa Anna. I have sustained a continual Bombardment and cannonade for 24 hours and have not lost a man. The enemy has demanded a surrender at discretion, . . . I have answered the demand with a cannon shot, and our flag still waves proudly from the walls. *I shall never surrender or retreat. Then,* I call on you in the name of Liberty, of patriotism and everything dear to the American character, to come to our aid with all dispatch. The enemy is receiving reinforcements daily and will no doubt increase to three or four thousand in four or five days. If this call is neglected, I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due to his own honor and that of his country, VICTORY OR DEATH."

Not extravagantly have these men been compared with those splendid Greeks who stayed the advance of the Persians at Thermopylae; their cause was as desperate, they fought as bravely, and history seeks among them in vain for either a traitor or a survivor. Texans do well to honor their memory, for they are not unworthy of the honor of the whole Saxon race.

THE UNIVERSITY

GENERAL NOTES

Calendar of the Winter Term at Austin

January 3: Registration Day; Winter Term classes begin. Lecture by Professor William Lyon Phelps, of Yale.

January 6: Postponed examinations, and examinations to remove conditions and for advanced standing.

January 9: Meeting of the Board of Regents.

January 10: Term meeting of the general Faculty.

January 12: Cobb Prize contest, G. C. Good winning the first place and W. G. Miller the second.

January 12, 13: Class elections.

January 13: Faculty lecture by Dr. W. R. Manning on "China and the Powers Since the Boxer Uprising."

January 14: Presentation of portraits of Col. George W. Brackenridge and Charles Durand Oldright, addresses being made by Mr. R. L. Ziller, Professor M. B. Porter, Judge A. W. Terrell, and Hon. E. B. Parker.

January 17: Election of final ball president, Mike Hogg winning.

January 19: Inter-society Debate, H. M. Potter winning the first place and L. S. Hoffman the second.

January 22-24: Meeting of the Association of Charities and Corrections.

January 24: Recital by Mrs. Bertha Kunz Baker, under the auspices of the Sidney Lanier Society.

January 26: Meeting of the Committee on the Selection of Rhodes Scholars.

January 27: Meeting of the Academy of Science.

January 27-28: Meeting of the new Board of Regents.

January 30: German Play, "Die Groszstadtluft."

January 31: First concert of the University Band.

February 1: Madame Harriet Labadie reads "Hedda Gabler" under the auspices of the Curtain Club.

February 2: Concert of the University Violin Club.

February 3: Academic Reception at the Woman's Building. Law Banquet. Texas plays Baylor at basket ball, 3 to 4.

February 5: Rev. C. G. Hounsell, of New York, addresses the Y. M. C. A.

February 7: Junior Law Banquet.

February 9: Texas plays Tulane at basket ball at New Orleans, 19 to 27.

February 11: Texas plays Auburn at basket ball at Auburn, 27-45.

February 12: Hon. Marvin Brown, of Fort Worth, addresses the Y. M. C. A.

February 13: Texas is defeated by Louisiana at basket ball at Baton Rouge.

February 18: The Legislature visits the University; speeches by Senators Cofer and Hudspeth and Representatives Kennedy and Wortham, followed by a barbecue on the campus.

February 21: The Curtain Club presents "The Miser."

February 22: Washington's birthday, a holiday.

March 1: Evans Prize Contest, W. W. Meachum, Jr., winning first place and A. R. Grambling the second.

March 2: Texas Independence Day, a holiday. Exercises in the Auditorium. Addresses by Thomas W. Currie, Judge R. L. Batts, and Dr. E. C. Barker.

March 3: Adjunct Professor Hugo Kuehne lectures on "Architectural Styles."

March 4: Called meeting of the General Faculty to consider the matter of hazing.

March 6: Texas plays A. & M. at baseball, 6 to 11.

March 7: Varsity Vaudeville at the Opera House.

March 13: Address by Theodore Roosevelt.

March 13-18: Spring Term examinations.

The University and the Legislature

The regular session of the Thirty-second Legislature enacted very few measures into law, and of these only one affects the University. This is a resolution submitting to a vote of the people a constitutional amendment allowing the Legislature to fix at six years the terms of the governing boards of educational and certain other State institutions. It is generally believed that this proposed amendment will be approved by the people when it is voted on in November, 1912, and that the Thirty-third Legislature will extend the terms and provide for overlapping. If this is done, it will add greatly to the security of the University and of the other State institutions concerned.

A bill providing a special tax for the University and for the Agricultural and Mechanical College passed the House but reached the Senate too late for action. A resolution submitting a constitutional amendment providing for the separation of these two institutions, on the other hand, curiously enough, passed the Senate but reached the House too late for action. It is most gratifying that the representatives of the University and of the Agricultural and Mechanical College acted together harmoniously in dealing with these important measures. There were many occasions when unreasonable men might easily have wrangled and disagreed. But in this case such differences of opinion as arose were discussed frankly and settled satisfactorily.

It will be remembered that the unfortunate shooting affair of the second of March occurred during the session of the Legislature. It was natural that at first there should have been some harsh things said of the University. But no hostile action was taken, and both

Houses soon came to see that the institution was competently managed by Regents and Faculty, and that practically the entire student body could be depended upon for intelligent co-operation in all reasonable directions.

It is to be regretted that no appropriations have as yet been made for the support of the University next year. But the Regents have stepped into the breach and taken action that will enable the institution to carry on its work satisfactorily. They are confident that a special session of the Legislature that will probably be called during the summer will make appropriations sustaining the action they have taken in this regard.

We clip from the "Austin Statesman" of February 19, the following account of the visit of the Legislature to the University on February 18:

The Legislative Barbecue

"Sixteen hundred young men and women, the entire enrollment strength of the main establishment of the University of Texas, yesterday welcomed to that institution the members of the Legislature of Texas, State officials, and heads of the various departments of State. The students were assisted by the members of the University Faculty and the citizens of Austin.

"Perhaps the foregoing might be termed a striking and bizarre prologue for the story, inasmuch as the event, a barbecue of the first class, was financed by the citizens of Austin, the members of the University Faculty being the nominal hosts. Nevertheless the statement must stand as written. The members of the Faculty, it is true, were ubiquitous and omnipresent; they exerted their most untiring energies to the minor task of making the visitors feel perfectly at home, but young Texas which, at the outset, was banked along both sides of the 200-yard walk that leads from the western edge of the campus to the Main Building on the hill, afforded the real entertainment of the day by an exhibition of spontaneity that seemed well-nigh overpowering in its effect upon all whom the hosts of the occasion sought to move.

"Standing at the foot of the long slope and looking up that aisle between two rows of the young manhood of Texas, and glimpsing the young ladies of the institution clustered like a great bouquet around the steps at the crest, Representative Savage voiced the key sentence of the occasion:

" 'Without reference to the boys, those girls at the top of the hill are worth 4 cents on every $100 of taxable values in this State.'

"The legislators and other visitors arrived at the University at 11:30 a. m. They knew not what to expect. The invitation had merely conveyed the idea that a barbecue would be the order of the day. And a barbecue it was; yet there are certain things which went before that are worthy of brief mention.

"The University band executed one of those stirring college arias upon the arrival of the guests, and a line of cheers came from them with the regularity of clock-work and with more than military exactness and precision. For five minutes the arrivals were treated to an exhibition of animal spirits and were made to realize what destruction such energies might wreak if not properly guided, and what wonders such energies might accomplish if directed along proper lines.

"The visitors marched up the hill between the lines of the cheering youths, who, with heads uncovered, bowed and cheered and smiled and saluted and in every other imaginable way gave the legislators and officials to understand that they were two or three times welcome. The line of march led to the main entrance of the University on the south side. Here awaited the real surprise. The young ladies of the University thronged the steps and the entryway, singing, 'The Eyes of Texas Are Upon You,' and pinning flowers of white and gold upon the visitors as they passed in review and entered the building. The corridors inside were packed with feminine youth and beauty, singing the same songs and smiling smiles as sweet as the smiles smiled by those on the exterior. The transition was indeed startling. On their arrival, the visitors had been greeted by the masculinity and strength of the school, and then suddenly found themselves overwhelmed by femininity, grace, and beauty.

"The line of march led to the University auditorium. When the legislators and other guests had been seated, the students themselves poured in, and every available seat and every imaginable bit of standing room was presently taken.

"The auditorium was hung on every side with charts of canvas, showing comparisons between the University of Texas and universities of other states, showing attendance from various counties of Texas, showing the number of students in the various branches of the University and showing many other things worthy of legislative reading and consideration.

"There followed a selection of assorted college yells, in which 'Hullabaloo,' 'Rattlety-thrat,' 'nine 'rahs' and 'fifteen 'rahs' played a more than minor part, led by a dynamic youngster from El Paso of the name of Eugene Harris, after which an oratorical stunt was executed by members of the legislature, both Senate and House.

"President Mezes acted as master of ceremonies, and prefaced the speech-making with a few observations on the University in general, its needs, etc., introducing Representative Wortham, Senator Cofer, Representative Kennedy and President Pro-Tem. Hudspeth of the Senate in the order named. And these gentlemen were not niggardly in their tributes to the University, their compliments to the student body, especially to the ladies, and their observations were timely, and of vast interest to all present. Of the four speakers, three admitted that they had never been afforded a college education, admitting the seriousness of the handicap, the fourth referring to his

college training and expressing deep gratification that he had not been handicapped in this regard. Each and every speaker pledged his most untiring efforts in behalf of the University and the House members vied with the Senate members in their assurances of support.

"It was a hungry crowd of legislators, officials, department heads, etc., that finally gathered around the barbecue tables on the east side of the Engineering Building. These tables, on the arrivel of the guests were piled high with regulation barbecue fare, prepared to a turn, the coffee steaming hot, served by beautiful women and doctors of philosophy, a rare collection of waiters, indeed.

"And did the guests enjoy the spread? Well, it should be recorded that they did. As one young college miss remarked, 'they gormandized until gastronomic satiety admonished them that they had reached the ultimate stage of deglutition." Only a college girl could be responsible for this hyperbolic utterance.

"After the feast had been disposed of the legislators and others visited various departments and buildings on the grounds, the law-making element arriving back at the capitol in time for the 3 o'clock session, where they immediately took up the discussion of the University and Agricultural and Mechanical tax measure.

"It is worthy of being recorded that the students of the University, in their yells and cheers, remembered their ancient rivals and football foes, the Agricultural and Mechanical College of Texas. And the cheers for that institution were given with the same vim that they injected into their cheers for the University and even the legislators themselves. There was a vast unselfishness that surrounded the entire affair which was wholly pleasing."

The New Board of Regents

On the morning of November 27, 1910, Governor Colquitt announced his appointments for the University Board of Regents for 1911-12. The list was as follows: George W. Brackenridge, of San Antonio; William H. Burges, of El Paso; F. W. Cook, of San Antonio; John H. Kirby, of Houston; George W. Littlefield, of Austin; Clarence Ousley, of Fort Worth; Alexander Sanger, of Dallas; and W. H. Stark, of Orange. Subsequently Col. Brackenridge resigned, and Hon. J. B. Dibrell, of Seguin, was appointed in his stead; later on Judge Dibrell resigned, and Judge N. A. Stedman, of Austin, was named as his successor. In April Regent Kirby resigned, and was succeeded by Senator Joseph Faust, of New Braunfels. At the first meeting of the Board Hon. Clarence Ousley was elected Chairman, and subsequently Judge N. A. Stedman was made Vice-Chairman. The new Board is made up of strong men. Each of its members has won distinction either in business or in some one of the professions, and all have shown keen interest in the welfare of the University. More-

over, it is thoroughly representative of the various sections and interests of the state. A brief sketch of each of the members follows.

William Henry Burges was born at Seguin on November 12, 1867, the son of William Henry and Bettie Rust Burges. He was educated in the schools of the state and at the University of Texas. He entered the University in the fall of 1887, and two years later was graduated with the degree of Bachelor of Laws. The same year he was admitted to the bar, and four years later was elected city attorney of El Paso, an office which he relinquished after two years. He is at present engaged in the practice of law, with W. W. Turney, at El Paso. On September 23, 1896, Mr. Burges was married to Miss Anna Pollard, of Fulton, Missouri. He is a member of the American Bar Association, and of the Texas Bar Association, of which he was president in 1909-10. In 1904 he was a delegate from Texas to the Universal Congress of Lawyers and Jurists at St. Louis.

Fred W. Cook is a native of Indiana. He attended the public schools of Evansville, Indiana, graduating in 1880. He then entered the University of Indiana. Here he remained through his junior year, and then entered Wabash College, from which he took his degree in 1884, being the youngest man in his class. The same year he went abroad for special study in chemistry at the German universities. He spent four years in Germany, dividing his time between Heidelberg and Munich. On his return to America in 1888, he was offered several positions, one of them being an instructorship in chemistry in the University of Indiana; but these he declined, and in 1890 became connected with the National Bank of Commerce of Evansville, Indiana, to be promoted to be cashier the following year. In 1894, however, his health failed, and he moved to Texas. He settled in San Antonio, where he has since lived. He is president of the San Antonio Drug Company, which does a large wholesale business in drugs and chemicals.

Joseph Faust was born in Hambach, Germany, December 15, 1844, the son of Martin and Gertrude Faust. He came to Texas when but seven years old, settling in New Braunfels, where he attended the public schools. During the Civil War he was a member of Company B., Seventh Texas Cavalry. Since the War Regent Faust has been engaged in business—first as merchant, but since 1882 as banker—in New Braunfels. He now holds the position of president of the First National Bank of New Braunfels. He was mayor of New Braunfels from 1885 to 1895, represented his district as State Senator in the Twenty-eighth, Twenty-ninth, and Thirtieth Legislatures, and since 1885 has been president of the Board of Trustees of the New Braunfels public schools. Senator Faust was married on September 1, 1877, to Miss Ida Forcke.

George W. Littlefield is a native of Panola county, Mississippi, where he was born June 21, 1842. He was educated in the public schools of Mississippi. During the war he served in the Eighth Texas

Cavalry, Company I. In 1863 he was wounded in battle. He resigned from the service the following year, being Captain of his company at the time. He was married on January 14, 1863, to Miss Alice P. Tiller, of Houston. Since the war Captain Littlefield has been mainly engaged in ranching and banking. He controls several hundred thousand acres of Texas land and some fifty thousand cattle; and he has been president of the American National Bank of Austin since its organization in 1890. He is also one of the directors of the Austin Fire Insurance Company.

Clarence Ousley, Chairman of the Board of Regents, was born in Lowndes county, Georgia, in 1863, and was educated at the Agricultural and Mechanical College of Alabama at Auburn, receiving the degree of B. A. in 1881. He then came to Texas to teach, but abandoned the profession in 1885 to enter journalism, his first work being done on the *Farm and Ranch*. Later he assumed a position with the *Dallas News*, having special charge of the editorial work of the semiweekly issue. Subsequently he became managing editor of the *Galveston News*, and still later, editor of the *Galveston Tribune*. Several years ago he moved to Fort Worth and became editor of the *Fort Worth Record*, a post which he now holds. Regent Ousley is keenly interested in education, and has been president of the Conference for Education in Texas since its inception. He delivered the Commencement Address before the literary societies of the University of Texas on June 18, 1899 (see the *Record*, II, 228f).

Alexander Sanger was born May 8, 1847, in Obernbreit, Bavaria, Germany, the sixth son of Elias Sanger. He came to America in 1865. His first business connection in this country was with the firm of Heller Brothers, of Cincinnati; next he became a partner in the firm of Ochs, Lehman & Co., but severed this connection in 1872 to become a member of the firm of Sanger Brothers, then engaged in business in Corsicana. Later this well-known firm moved to Dallas, and there Regent Sanger has been actively engaged in business for nearly forty years. He was married in 1879 to Miss Fannie Fechenbach, who died in 1898.

W. H. Stark is not a native of Texas, but came to the state when a youth, and has long been actively identified with the business interests of East Texas. He is secretary and general manager of the Lutcher and Moore Lumber Company, with headquarters at Orange. He also has large lumber holdings at Beaumont. A son, H. J. L. Stark, was connected with the University until his graduation a year ago, and was prominent in the athletic and social activities of the place.

N. A. Stedman, Vice-Chairman of the Board, was born at Henderson on the 22nd day of October, 1854. He received such training as the schools of Texas afforded during his boyhood. Subsequently he took a course at Washington and Lee University. Returning to Texas, he read law in the office of his father, who was a distinguished

lawyer in East Texas, and was admitted to the bar at the age of twenty-one. After this he served successively as County Attorney of Harrison County and as District Attorney of the judicial district embracing that county. Later, having removed to Fort Worth, he was appointed judge of one of the two judicial districts in Tarrant County; and subsequently he was appointed a member of the Texas Railroad Commission. Retiring from that position, he resumed the practice of law at Fort Worth, but in a few months he was tendered and accepted the position of General Attorney of the International and Great Northern Railroad Company and continued in that place for about ten years, till 1908, when he became attorney at Austin for all the principal railroad companies in Texas. Retiring from this employment on December 1, 1910, he entered upon the general practice of law at Austin, where he is now pursuing his profession, in association with Judge F. A. Williams, formerly of the Supreme Court of Texas.

Visit of President Roosevelt

On Monday, March 13, ex-President Roosevelt, who visited the University several years ago while President, was again the guest of the University. President Roosevelt's visit was brief. He reached Austin shortly after twelve o'clock, went directly to the University, where he delivered a short address, and left soon after for Waco.

President Roosevelt spoke in the Auditorium, before a tremendous audience. He was introduced by Governor Colquitt, who presented him as "one of the most renowned citizens that the United States has ever produced." His address follows:

"I promised myself all along the pleasure after I got back from Europe of visiting, so far as was possible, the different states, and in each state of saying a word of greeting and of thanks; for the man who has been President of the American people is thereby put under a life-long debt, a debt of honorable obligation which he must do his best to at least partially satisfy throughout his career,—at least to the extent of so carrying himself that there shan't be too many of his fellow countrymen who regret the fact that he was President.

"I say I owe a great deal to Texas. I do not know whether Texas is particularly grateful for the fact or not, but it was here that I started on the career that made me President. I raised my regiment in San Antonio, and I got just as many Texans into it as I could get. My experience has been that the Texan, whether he is dealing with matters domestic or foreign, whether he is dealing with criminals, or foreign enemies, or wolves, is all right. And it is a peculiar pleasure to speak to you of the University of Texas here in the beautiful capital of your great and wonderful state.

"Traveling through the South generally, but perhaps particularly

traveling through Texas, any man must realize the extraordinary change amounting well-nigh to a revolution that has occured within the past three decades; and the extraordinary progress in material well-being, progress toward industrial supremacy, that the South, even more than the rest of the country, is now making. I believe that in the next half century, the most striking material progress is to be made in the South, and particularly in the Southwest; and I feel that while that is in one sense something upon which you should heartily congratulate yourselves, yet that in another sense it imposes upon you a peculiar responsibility. No success ever comes without imposing such responsibility. That is true of this nation; it is true of every part of this nation, of every section, and of every state. If success is not yours, then you can't be excused for not doing all that you might do. But I feel about Texas within the Union just as I feel about the Union in international relations. People have asked—people have complained—have said about America, that they don't see why America should be called upon, or should expect, to play a great part in the world. The answer is that it is merely an academic question to ask why America should play a great part. She can't help playing a great part. The only thing for her to decide is whether she will play that part well or ill; and in just the same way within the Union, Texas is bound to play a leading part. The extent of her territory, her population, the character of that population, the extraordinary fertility of her natural resources, and the way in which those resources are now being developed, all mean that Texas must play a great part; and now it behooves you all to see that she plays that part well.

"Coming through the South, I hear on every hand a great deal said of the New South. I glory in it and take pride in it. I want to see you go forward in the best spirit of the New South; but I want to see you also keep the idealism of the Old South. It is of the utmost consequence to have a great foundation of abounding material prosperity; but do not forget that the material prosperity, though indispensable is only the foundation; that upon it as a foundation you must build the superstructure of the higher and worthier life. I do not have to tell Texans, with the memories of the heroic past of their state,—I do not have to say to them that when it is necessary no man is worth his salt who is not willing to jeopard his life for his convictions, who is not willing to play the great game where death and victory are the alternate prices; but I want to dwell upon the fact that you have got to be able not only to die, but you have got to be able to live so that your community, so that your state, that the whole nation, will be the better for your lives. After all, if you have the right stuff in you, the dying is not very difficult—it doesn't take so long.

"Captain [addressing Capt. McDonald], you have occasionally seen men, you have and I have, who are awfully good men, and die coolly,

but I was not really so very sorry when they did die, because I was not sure what kind of a mess they would make of living. To live means to carry on through a long course of years—to carry out through a long course of years the policy of doing well the innumerable small things that in the end, that in the sum, make success. Even in a fight, even in a war, the days of heroic endeavor, of heroic achievement, are very few, and the best soldier is the man who not only has achieved the power to respond to the needs of a heroic moment, but also the power to prepare through days and weeks of hard, irksome, monotonous toil to do well in that heroic moment.

"I remember in my regiment a young fellow who joined it, a nice young fellow. But war to him had been a picture of plumes in his hat, and riding a horse, and banging his sword, and letting the Spaniards go the other way. He came to me after three days and said:

" 'Colonel, I don't like this.'

"I said, 'What?'

"He said, 'I came down here to fight for my country, and the captain has put me to burying a dead horse.'

" 'Now,' I said, 'I will tell you; I know the Captain. I think you had better bury that horse well. You do that part of it, and I will endeavor to gratify you on the fighting side later on.'

"Now it is in civil life as it is in war. Now and then comes a great crisis when it is necessary to show that you have the right type of citizenship in you by the the spirit in which you meet the great crisis; but you won't be a good citizen if you wait to show the traits of good citizenship until the great crisis comes. Just exactly as each individual of you will be quite unbearable in his own home, no matter how admirable he might be in the home were it threatened by some calamity like fire, if meanwhile he so carries himself with his mother and sisters that they are heartily glad when he goes out, just exactly in the same way you will be a poor citizen of you don't do the ordinary, rather hum-drum, every-day work of citizenship with the best there is in you. There is no especial genius needed to be a good citizen. What is needed is to do a great number of things, each of which can be done by the ordinary man, but to do each of them in much more than the ordinary way. Now, we have a right to expect good citizenship of every one, but we have a peculiar right to expect it of you here. I am speaking now to all of you, but I am speaking especially to the University students, to you here to whom much has been given, and to whom the country in consequence has the right to expect much in return. If the average educated man so carries himself as to make the average man without education a little in doubt as to whether the education did or did not pay, then you have proved false to your *Alma Mater*.

"There is only one way you can repay the University of Texas for

what it has done for you, and that is by reflecting credit upon it by your after life. This University, like all similar institutions, during the last half century, has more and more tended to turn its educational force along two channels: the channel in the first place of the education, the general education, the education in what in the Scotch universities used to be called the humanities; and then a vocational training. One of the great improvements in recent education grows out of the fact that more and more we are recognizing that the average man or woman should be trained toward and not away from his or her life work,—that is, that we should not treat education as a mere fetich to consist in the learning of certain things without regard to the good that they do; that we should always keep in view the desirability of training each man, each woman, so that the man or woman can do his or her life work to the best possible advantage. In addition, however, to that and the supposed vocational training, every man in a University gets a general training which, while it may not directly help him in any particular profession, will, if he has the right stuff in him, help him indirectly in any profession that he takes up, and which above all should make him a better citizen of the State, should give him a broader outlook, should give him a greater capacity to render service to the State.

"From each man here we have a right to expect two types of service: the service to himself—by which I mean, of course, the service to those dependent upon him, to his family, that have the right to expect the service to himself of that kind; and the service to all of us, the service which will show itself in making the graduates of this University leaders in every great movement, socially, sociologically, politically, industrially, in every great movement for the uplift and the betterment of our people. Now, I think you have been rather patient in listening to what threatens to become a sermon.

"My impulse would be not to talk to you quite as seriously. I would rather tell you about Africa and the lions. You see, I had a part of my training which prepared me for Africa in cane-brakes along the Mississippi with the bear hunters, and out on the plains with your own people here. Long before any of you were born, I lived in the short grass country myself. As I say, my temptation is to use the very few minutes simply to tell you of things I thought quite amusing and interesting. I am not going to do that. I will not do that, just because I realize just how much it means to this country to have you go right and take the right leadership in the life of the nation after you leave this University. If the people of the United States do not get from you, and those like you, the kind of leadership that we ought to have I don't know where we are to look for it. If you are trained, you are trained because the State provides for the training, because private individuals do everything they can to give you the training. The hopes not only of your own families, but of all of us center upon you, and if you fail us, I don't see why

we should expect any other body of our citizens not to fail us. So you have a very great and heavy responsibility upon you.

"Now, I do not mean for a moment that you should not enjoy yourselves. I do not know any other man that has enjoyed himself more than I have. No President ever enjoyed himself as much as I did while I was President, and no ex-President ever enjoyed himself as much after leaving the presidency. I have always had just as good a time as I could possibly have, and I advocate having it. I want to see you play, and play hard, just as hard as you can; but when you work, don't play at all. Now, I would give a great deal to be down here in the foot-ball season to follow the eleven, to follow all that you do in athletics, and I think it is a first-class thing to have the athletics, and I want to see the man, if he hasn't been fortunate enough to know from his surroundings how to handle horse and rifle, I want to see him get the benefit of athletic training, and I want you to give it in such shape that it can't seem like medicine. In the same way, I want you to enjoy it aside from the profit.

"I want you to enjoy, also, the scholastic, the literary side of your work. I hope that there will be a reasonable number of you who will get to enjoy reading for reading's sake, and not be in the position of some young men who wrote me the other day from a college in one of the Western States, that they would like to know, they would like to have a statement from me as to what good I thought general reading did. I wrote them back that if they were capable of asking that question, I did not believe it would ever do them the slightest good in the world; that if they were not able to come to revel so in the enjoyment of the writings of the great masters of English literature, of Greek, of Latin, of all the great literatures of the world, if they did not understand that these literatures opened to them a wide arch of the experience of all the great minds of the world of the past, if they did not understand that already, then Heaven help them to get out of college as soon as they could. So I want to see you have the pleasures, the pleasure of sport, the pleasure of reading, the joy of life; but I want to see you realize that the more pleasure you have, the more you ought to pay for it in hard, downright work. I want to see you face the world just as I remember receiving a bit of advice in the very long ago on the foot-ball field. The man said, 'Now you follow this rule: don't flinch, and don't foul, and hit the line hard.' "

Professor Phelps's Lecture

On the night of January 3, Dr. William Lyon Phelps, of Yale University, delivered a lecture on "The Novel" to a large audience in the auditorium of the Law Building. The lecture was given under the auspices of the Faculty Committee on Lectures. Dr. Phelps, said to be the most popular teacher at Yale University, is of the breezy, unconventional type, and has a delightful way of making surprising and unorthodox statements. His talk consisted of a running

comment on the most prominent novelists of the world. He declared that the Russian novelists are the greatest writers of fiction, while he was very sure that America brings up the rear.

Possessing many of the graces of a popular orator and a great deal of natural dramatic ability, Dr. Phelps pleased the greater portion of his audience. Indeed, many students declared that it was the best public lecture they had ever heard at the University.

Dr. Callaway introduced the speaker to the audience. While in Austin, Dr. Phelps was entertained socially by President Mezes and by Librarian Goodrich. Dean Battle and President Mezes were fellow students of his at Harvard University.

Mrs. Phelps made the trip to Texas with Dr. Phelps, and shared in the attentions he received during his visit. J. A. L.

Faculty Lectures

The series of Faculty lectures so auspiciously begun in the Fall Term with lectures by Professors Benedict and Lomax was continued with like happy results in the Winter Term with addresses by Adjunct Professor W. R. Manning, of the School of History, and Adjunct Professor Hugo Kuehne, head of the new School of Architecture. The subject of Dr. Manning's lecture, delivered on the evening of January 13, was "China and the Powers Since the Boxer Movement." Mr. Kuehne's address, delivered on March 3, dealt with the subject of "Architectural Styles." Good audiences greeted both speakers, and much interest was shown.

The following is an abstract of Dr. Manning's address:

"On the 14th of August, 1900, the Dowager-Empress, with the entire Imperial Court, fled from Peking. The victorious army of the allied foreign powers was left in control. This was the culmination of a long series of humiliations that humbled China's proud spirit to the dust and finally broke down the resistance which had for centuries withstood the efforts of Western civilization to gain an entrance.

" 'Better fifty years of Europe than a cycle of Cathay,' wrote Tennyson less than a century ago. With almost equal truthfulness he might have written a decade ago. But in the ten years that have followed, more numerous and more momentous changes have taken place than had occurred in twice as many preceding centuries. Could the Sage, Confucius, have returned a decade ago he would have felt almost as much at home,—so far as social, political, and economic institutions are concerned,—as when he departed twenty-five centuries before. Should he return a decade hence he would feel as much out of place as did Rip Van Winkle, if the recent rate of progress continues and projected reforms are carried out. 'A nation in a day' was the phrase used to describe the marvelous transformation of Japan in the last half of the nineteenth century. What will be used

to describe the similar feat which China bids fair to accomplish in the first quarter of the twentieth?

"To understand the reasons for the Boxer movement the collapse of which ushered in this period of kaleidoscopic changes it is necessary to study the many foreign aggressions on China which had occurred in the few years preceding. The war which Japan forced upon and so triumphantly prosecuted against China in 1894 and 1895 revealed the pitiable weakness of the latter and the dangerous strength and ambitious designs of the former. Besides having to pay a large indemnity and make other cessions of territory China was compelled to cede to her land-hungry conqueror the Liaotung peninsula, including the important stronghold of Port Arthur, commanding the entrance to the Chinese capital

"But the victor was not permitted to enjoy all the fruits of his victory. A highwayman never knows how much of his booty is his own until he has shared with other highwaymen. With the support of France and Germany, Russia remonstrated and 'in the interests of peace' advised Japan to relinquish the strategic peninsula.

"Russia's true motive soon appeared. Late in 1897, as cold weather approached, Russian ships of war steamed into the harbor of Port Arthur in order to escape the rigor of the cold at Vladivostok, the assurance having been given that they would return to the north with the coming of spring. But before that time Russia had leased Port Arthur for twenty-five years and settled down to stay.

"Germany made the murder of two missionaries an excuse for seizing Kioa-Chou bay; and by a threat of force obtained a lease for ninety-nine years. France seized upon a similar excuse for occupying and obtaining a lease of Kwang-Chou-wan bay in the south for the same length of time. Although Great Britain had not assisted in compelling Japan to disgorge, she had kindly advised that power to do so. When she saw other powers obtaining leases of Chinese territory she could not resist the desire to do likewise. She obtained a lease of Wei-hai-wei, opposite Port Arthur, to hold as long as Russia should retain the latter. She also obtained by a ninety-nine year lease a considerable extension of her territory of Hong-Kong, which she had held for half a century.

"Other nations made unsuccessful attempts to seize territory. In the treaty ports, already numerous and constantly increasing in number, China had yielded foreign concessions. Foreign missionaries were pushing further and further into the forbidden territory; and their respective governments were constantly interfering to protect them or exact penalties. Foreign ideas were even invading the court and winning adherents in the palace. The startling announcement that the Emporer himself was a convert to them and was surrounding himself with foreign educated men was followed by a flood of reform edicts in 1898. The leader of the reform faction let his zeal get the better of his discretion. The reactionary high officials, still

a large majority, tried to induce the Emperor to dismiss the few reforming secretaries. They themselves were dismissed instead and their rivals promoted.

"As a last resource the reactionaries implored the old Dowager-Empress, for the sake of the dynasty and the country, to resume the reins of government which she had handed over to the young Emperor nine years earlier, after having been the regent and real ruler almost continuously for twenty-eight years. She acted quickly. The Emporer attempted a contre-coup, but his chief supporter failed him. The coup d'etat was complete. Six of the leading reformers were beheaded. Corrupt reactionary officials returned to their places rejoicing. The young reforming Emporer was put back in leading-strings.

"Riots broke out and insults to foreigners were multiplied. The next year, 1899, was one of suspense and uncertainty. In November the old Empress appealed to the viceroys and governors to resist all further aggressions of foreign powers; and exhorted the people to rise en masse and 'preserve their ancestral homes and graves from the ruthless hands of the invader.'

"This appeal was the spark that produced the explosion. The charge was all ready. Many patriotic societies existed. The most formidable was the 'Righteous Harmony of Fists,' or 'Boxers,' as foreigners called them. It spread rapidly. Its chief tenet was that the foreigner must be driven out. The regent pretended to resist but secretly encouraged it. The result was the terrible days of the summer of 1900, known as the Boxer Movement. More than two hundred foreign missionaries were murdered; and multitudes of native Christians suffered martyrdom rather than renounce their faith.

"Foreigners in Peking shut themselves up in the legations for protection and stood a two month's siege, until they were relieved by the coming of the allied armies of the foreign powers and the flight of the Imperial Court. For more than a year, while the powers were deciding on the terms they would force China to subscribe to, the foreign troops occupied the capital and the court remained in exile. Had it not been for the firm stand taken by the United States it is possible that China would have been dismembered. The preservation of the integrity of the country is John Hay's chief claim to greatness.

"When early in 1902 the Imperial Court returned and resumed control it was with a spirit of humility which seemed to voice an appeal for forgiveness. It was the beginning of a new era for China both in foreign and domestic affairs. She abandoned her old anti-foreign exclusiveness and opened wide her arms to receive both the ideas and the representatives of western civilization. With a few though inconspicuous exceptions her official actions since have voiced the Macedonian call 'come over and help us.'

"New treaties of amity and commerce were negotiated, much more

favorable than could ever before be obtained; foreign advisers were employed in many official and industrial positions; foreign educated Chinese found their education a help, no longer a bar, to official advancement; new treaty ports and new districts were thrown open to foreign trade; foreign capital and foreign skill have been engaged in opening up China's unlimited and untouched natural resources, and in constructing railways and factories.

"Reforms have been effected along many lines. The army and navy have been reconstructed on western models and trained by western officers in western tactics; administrative reforms looking toward greater efficiency and less expense have been introduced; a new system of public education is fast being introduced in which western learning occupies a large part; the currency and coinage are being made national to take the place of the old chaotic provincial system; provision has been made and is being successfully carried out to abolish the opium habit; Christian missionaries are being welcomed and afforded a degree of official protection far greater than the most optimistic ever before dared to hope for.

"Last and greatest of all reforms is the establishment of constitutional government which was decreed a few years ago and for which the way is being prepared at a rapid rate. Provincial popularly elected legislative bodies met first in 1909; and the Imperial Assembly, composed of elements which later will be expanded to constitute both the upper and lower houses of the Imperial parliament met in 1910. In 1913 this full parliament and a complete constitutional regime will be in operation if present plans are carried out."

A summary of Mr. Kuehne's address is briefly as follows:

"Architecture, unlike the arts of painting, sculpture, music, and poetry, is not individualistic, but racial. It therefore differs from these arts in that it is wider in its scope, nearer to human life, of greater significance in the evolution of civilization, because it is the result of the concerted efforts of many minds and hands—an expression by the entire people of the life and ideals of the age, and becomes thereby an unerring index of the civilization of a past age.

"As the civilizations of different ages and races vary in their nature and characteristics, so also are there varying manifestations of this art, corresponding to these civilizations. These varying expressions we call styles. Of these varying civilizations and corresponding architectural styles we have the Egyptian, West Asiatic, Greek, Roman, Byzantine, Mohammedan or Saracenic, Romanesque, Gothic, and Renaissance.

"Out of these modern architecture draws its inspiration and material, those most directly affecting it being the classical, Greek and Roman; the Medieval, Byzantine, Romanesque, and Gothic; and the Renaissance, Italian and French. In tracing the aesthetic and structural development of each of these, we find that their contributions to the architectural expression of the present age are: from the

Greeks, the perfected principle of trabeated construction together with a perfection of mouldings and conventional ornament; from the Romans, the arch, barrel vault, and dome, besides the combination of arcuated and trabeated forms; from the Byzantine, the pendentive; from the Gothic, the perfected system of vaulting and balanced thrusts and a new aesthetic principle in the antithesis, if trabeated architecture; from the Renaissance, nothing original save new combinations of old forms and something in the way of refinement, delicacy, and richness in ornament.

"Now the most significant feature of the architecture of today is the lack of unity, originality; an absence of individuality and style. Architecture is no longer the spontaneous indigenous expression of contemporaneous civilization; it is, in a sense, a lost art. In America there is a particular lack of harmony and unity in architecture. However, certain original contributions or new principles, have been produced by the present age, consisting of new structural principles, as par excellence, the riveted steel structure, new floral and conventional forms of ornament and numerous new building materials.

"Under these conditions the problem confronting the modern architect is to determine how much of the past styles he may legitimately adopt and what use he is to make of the original developments of the present age, remembering that whatever the style, it must be a logical expression of the needs of the life of today, and a free expression of the zeitgeist of the age. The development of a new style today can probably occur only through the logical development of new materials and structural principles. This is an age of steel and concrete, and it is in the exploitation of the possibilities of these that we may look for a new style. But along with this must go a development of an aesthetic race consciousness, a unity of spirit, of ideals, of religious aspiration, and a unified civilization."

Texas Independence Day

Texas Independence Day was celebrated, as usual, by the firing of a salute at 9:30 of twenty-one guns, and by exercises in the Auditorium. The cannon used for the occasion was drawn from the Capitol, as usual, by a mass of students, representing the several classes of the University. Alfred Toombs served as Commander-in-Chief, E. E. Hurt as Flag Bearer, and there were ten cannoniers and a like number of day marshals.

The exercises in the Auditorium were not so well attended as usual, but there was no falling off in the quality of the program. Allen Grambling, of the Junior Law Class, read the Texas Declaration of Independence. The address on behalf of the students was made by Thomas W. Currie, a student at the Theological Seminary, who is also pursuing work in the University. Then followed a stirring address by Judge R. L. Batts, representing the Alumni. The exercises

of the morning ended with an address by Dr. E. C. Barker, of the School of History, on the conditions that led up to the Texas Declaration of Independence. This address is published elsewhere in this issue.

Presentation of the Portraits of Charles Durand Oldright and Col. George W. Brackenridge

At the noon hour on January 14, before a gathering of students and faculty and friends of the University, the portraits of Charles Durand Oldright, one of the most distinguished students of the University, and Col. George W. Brackenridge, the most liberal friend that the University has known, were publicly presented to the University. The portrait of Mr. Oldright was presented by Mr. R. L. Ziller, of Austin, and was accepted by Professor M. B. Porter, head of the School of Mathematics. The portrait was unveiled by R. E. Capers, a member of the fraternity to which Mr. Oldright belonged. The portrait of Colonel Brackenridge was formally presented by Judge A. W. Terrell, of Austin, and was unveiled by Miss Eleanor Henderson, a daughter of Hon. T. S. Henderson, formerly Chairman of the Board of Regents. The portrait was accepted on behalf of the University by Hon. Edwin B. Parker, President of the Alumni Association. The addresses of Professor Porter, Judge Terrell, and Mr. Parker appear elsewhere in this number of **The Record.**

Reconstruction in Texas. By Charles W. Ramsdell, Ph. D., Instructor in History, University of Texas. New York: Columbia University, 1910. *8vo.,* 324 *pages.*

Dr. Ramsdell's Book

The contents of Dr. Ramsdell's book are grouped under three heads: Introduction (pp. 11-51), Presidential reconstruction (pp. 55-141), and Congressional reconstruction (pp. 145-292). Of the introductory chapters the first presents a brief review of the Secession movements and the bitter contest between conservative and radical. In Chapter two the fate of the conservatives, or Unionists, is stated. From 1861 to 1865 the Confederates ruled harshly when the interests of the country demanded it. The majority of the Unionists willingly gave their support to the State when secession became a fact; the uncomprising ones were compelled to flee or be prepared to meet a worse fate. In the chapter on the "Break-up," attention is called to the status of affairs in Texas at the close of the war. Business was paralyzed; the slave population was set adrift; the farming industry was confronted by a labor famine; the refugees returned; all sorts of adventurers appeared; civil government was practically suspended; lawlessness had increased. These were the conditions that made speedy reconstruction of civil government very necessary.

President Johnson's plan of reconstruction met this requirement. A. J. Hamilton was appointed provisional governor. He landed at Galveston in July, 1865, with instructions to prescribe rules and regulations for holding a convention so that the loyal people of Texas might organize a State government. He filled the vacancies in the various civil offices, and instructed the officers to do their duty. Although a refugee, Hamilton pursued a course that was both just and impartial, but it did not suit the other refugees. They wished to withhold from the late secessionists all political power, and, as they were in a hopeless minority, they sought for aid elsewhere. They communicated with the radical Northern press and with the radical leaders in Congress. Every wrong suffered by a Union man or by a freedman was reported in those quarters in the form most damaging to their opponents, and paraded as an example of the lurking spirit of secession. The convention met February 7, 1866. The delegates were elected by the white people of Texas; they represented three groups: radicals, former secessionists, and conservatives, the latter being in control. The business of the convention was to make the State Constitution conform to the laws of the United States and the changes wrought by the war. Secession was nullified, slavery forbidden, and the war debt declared void. An election of State and minor officers was ordered to be held in June. These measures were entirely too mild to suit the radicals. But the conservatives were again successful in the elections. On August 9, 1866, Governor Throckmorton was inaugurated, and on August 20th the President proclaimed the insurrection in Texas at an end.

Thus far the radicals in Texas had failed; in the Congress of the United States, however, they were successful. The Reconstruction Acts passed by Congress on March 2d and 23d, 1867, set aside the President's plan of reconstruction and provided a new plan for the resuscitation of civil government in the South. "The purpose and effect of these two acts was to paralyze the State governments that had been restored since the war, to place the whole South under potential martial law, to disfranchise the leading whites, and to enfranchise the blacks. It was expected by the framers and advocates of these measures that the negroes and their white radical friends would control the States, thereby ensuring 'loyal' governments." Texas was made a military district, with Sheridan in command. The courts were closed by Griffin's "jury order." The registration of voters was ordered by the military, and executed in such manner as to keep away white voters and to attract the negroes. Governor Throckmorton was deposed, and sweeping changes made in other State and minor offices. The immediate result was a noticeable increase in violence and crime, which, however, was attributed by the radicals to the disloyal sentiments of their opponents, and used as an argument for more troops to meet the situation.

The newly-appointed governor, E. M. Pease, recognised as valid

all laws passed since 1861 that were not contrary to those of the United States and the Federal Constitution. His doing so drove the ultra-radicals among his followers into opposition, and this division in the radical party continued and served in a measure as a check upon them. A further restraint was placed upon them when the President removed Sheridan in November, 1867, and placed General W. S. Hancock in command. Hancock thoroughly disliked the radical program, and believed that the white people of the South should carry through the process of reconstruction with as little interference from the military as possible. He ordered an election to be held in February, 1868, to determine whether a constitutional convention should be called and to elect delegates to the same. The election was a sweeping victory for the radicals.

The convention assembled June 1, 1868. Of the ninety delegates twelve were conservatives. However, the breach in the ranks of the radicals if anything was widened. The ultra-radicals wished to declare void every act passed since secession; the moderates would not concur. The ultras desired to disfranchise all who had participated in the rebellion; they were defeated by the moderates. The ultras endeavored to divide Texas into several states. With the adjournment of the convention, February 8, 1869, the contest between the ultras, led by Davis, and the moderates, led by Hamilton, was carried first to Washington and then into the campaign that followed in Texas. The ultra-radicals were disgusted with the Constitution they had helped to frame; they appealed to Congress to reject it, claiming that Texas was in no condition to hold an election, for the ex-Confederates and so-called Republicans would certainly accept the Constitution and then fill all the offices. They were again defeated by the moderates; Congress authorized the President to submit the Constitution to the people for ratification when he thought it expedient. As a last resort, the ultras sought to have the election postponed until fall to give them time to decide upon their future policy.

The Davis Republicans met in convention, nominated E. J. Davis for governor, and were recognized by the national organization as the Republican party in Texas. President Grant postponed the election from July 5th to November 30th. Governor Reynolds, the military commander, affiliated with the Davis wing after having met with a rebuff from the Hamilton wing. Since Reynolds would supervise the holding of the election and declare its result, his influence counted for much. Davis was declared elected by a small majority. The Twelfth Legislature was convened February 8, 1870, to ratify the Fourteenth and Fifteenth Amendments and to elect United States Senators. Texas was readmitted to the Union March 30, 1870. In a legal sense this act terminated reconstruction in Texas, but the author quite properly traces the history of the Davis administration to its fall in 1874.

During the first two years of the Davis administration the ultra-

radicals attained to that ascendancy for which they had so long contended. They were enabled to put into practice some of their plans, and they created a centralized regime with Davis at the head patterned very closely after the military rule just terminated. This effort to perpetuate so odious a form of rule, even after the Federal troops had been withdrawn, proved overwhelmingly disastrous to its authors and plunged the Republican party in Texas "into irretrievable ruin."

The volume is supplied with a valuable bibliography (two pages) and has an index (four pages). The index is somewhat unsatisfactory. There are some minor typographical errors; the name Kuechler, for instance, is misspelled throughout.

Even the brief summary above will suggest something of the passion and spirited contests of the time. There was intense excitement, party hatred, personal recrimination, outrageous conduct on the part of soldiers sent to give protection, overbearing insolence in military officers who could not be called to account, and sordid venality in civil officers with itching palms. But these were not alone; there was patient endurance, unselfishness, unswerving loyalty to duty, statesmanlike leadership, and courage to challenge crime in its stronghold. All this has been carefully brought together from various sources and wrought into a story that is very readable and interesting. The author has adhered closely to the political phase of his subject, which is, indeed, the predominant one; but the social and economic phases of the period also deserve to be studied. With the example set by Dr. Ramsdell, we may confidently expect that it will not be long before this is done. He has pointed out the possibilities and described the sources of a period whose impress is borne by many of the institutions and much of the life of today. E. W. W.

Cowboy Songs and Other Frontier Ballads. Collected by John A. Lomax, M. A., the University of Texas, Sheldon Fellow of Harvard University for the Investigation of American Ballads. New York: Sturgis and Walton Co., 1910.

Professor Lomax's Collection of Cowboy Songs

The fact that the first impression of Mr. Lomax's collection of *Cowboy Songs* has been exhausted indicates the popularity and widespread circulation of this volume. Critics and reviewers in every section have willingly paused from their everyday task of preparing conventional notices of the slender, not to say thin, first volumes of our conventional young poets, to record the sense of novelty and relief which is afforded by the appearance of a volume like this, so full, as it is, of the fresh, vigorous, and spontaneous impulses of life as found among the pioneers of the great open plains of the West and Southwest.

The volume is supplied with an appreciatory introduction by Professor Barrett Wendell of Harvard University, and by a vigorous

letter of approval from ex-President Roosevelt. The Collector's Note is a brief but suggestive essay on the life and character of the cowboy and on the causes and circumstances which prompted him to resort to the primitive method of entertainment so long ago practiced by our ancestors in England and Scotland. No attempt to explain the origin of these ballads or to elucidate the method of their composition is here made. The aim has been simply to collect in a small volume for circulation among general readers the simple songs as sung by the frontiersman around his camp-fire or on the trail.

These songs have come to the collector in so many versions and in such a confused state, that he has sometimes had to exercise rather freely his editorial prerogative in sorting and arranging the material. Much of the matter, too, coming as it does so frankly and boldly from the cow-puncher's unchaste lips, has proved too strong or profane or obscene for publication in a popular volume, and so again the editor has had frequently to resort to his euphemistic pencil. But, as Mr. Lomax says, "there is a Homeric quality about the cowboy's profanity and vulgarity that pleases rather than repulses," and from a purely scientific point of view these editorial liberties are to be regretted. But we have the promise that in a later volume these excisions will be restored and all the variant versions of the ballads printed,—as is done in Professor Francis J. Child's great collection of "English and Scottish Popular Ballads."

Such compositions as these are difficult to appraise as to their literary merit. The simple fact is, they freely violate the canons of literary art and do not fall at all within the field of the strict laws of literary criticism. The verses are often crude, rough, unliterary, vulgar; and yet they have in them such force, vitality, and sincerity as to make them almost universally appealing. Songs which come straight from the work-a-day experiences of men as they go about their daily tasks will inevitably possess this raciness of the soil, this human quality, this swing and rhythm of real life, and will consequently make a broad appeal to the race. As a recent reviewer in *Town Topics* very justly declares, they are "more nearly real American literature than many tons of books that have arrogated to themselves that label."

As a type, the cowboy has been made much of in American fiction. The romantic and picturesque interest which attaches to the figure of the cowboy is already widely disseminated. There is, of course, a deal of misrepresentation and untruth in this highly-colored and richly decorated book product. The real life of the cowboy, with all its hardships, its dangers, its loneliness, its flatness and dreariness, has not been written. The frankest and truest record that we shall ever have of this unique figure in American life will come to us through the rich store of his ballads and songs as they are preserved in their original forms. From such sources we shall get a simple, direct, and true account of his thoughts, experiences, and emotions

in his every-day life. The cowboy himself is already practically a vanished type, and his songs are slipping away too; but from such of his songs and sayings as may be preserved, and from such fireside tales as are told of his daring and his courage, his simplicity and his generosity, his thrilling experiences in stampede and in storm, and his steadiness and reliability in all sorts of situations we shall eventually get the true American type. As much of this material, then, as can still be gathered, is certainly well worth preserving, both for its own interest and for the light it will throw on the history and development of the Southwest.

To those who love the West and its life, to those who have touched this life in any way, whether by actual experience or by association, this volume of songs will bring genuine pleasure. The mere mention of the titles of some of the more familiar songs will excite the interest and stir up the hidden sources of memory and association in the breasts of many a native Texan or early settler. Not only the words, but also, in many cases, the music of these old songs is preserved for us in this volume. There are such general favorites as "Mustang Gray," "The Dying Cowboy," "A Home on the Range," "Whoopee Ti Yi Yo," "Jesse James," and "Root Hog or Die." To be exact, there are one hundred and twelve songs collected here. A few of these are recognizable as redactions of old English and Scottish ballads, such as "The Old Man Under the Hill," for example; and some of them are translated from New England and the older States, and adapted to their new habitat by various insertions and substitutions of phraseology; but the majority of the songs are local in their origin and in their coloring. Definite authorship is rarely traceable, though in one or two cases, such as "Hell in Texas" and "Night-herding Song," the authors are known.

As Mr. Roosevelt says, Mr. Lomax has done "a work emphatically worth doing, and one which should appeal to the people of all our country, but particularly to the people of the West and Southwest." Scholars will gladly receive the present popular volume as an earnest of the fuller collection which is promised, and amateur collectors and lovers of ballads and songs in the Southwest will be glad of the opportunity to get their old favorites and many new ones in the pleasing and convenient form which this volume affords.

L. W. P., Jr.

LIBRARY NOTES

The new building has progressed satisfactorily, and at the date of writing, April 7, the exterior is sufficiently far along to give an idea of its completed effect. Much work has also been done on the interior finish.

Miss Nellie M. Hall, cataloguer, was compelled by eye-strain to ask for a year's leave of absence, beginning December 1, 1910. Miss Irene Blair, of Sedalia, Mo., is acting as her substitute. Miss Blair graduated from the University of Missouri, and has studied at the New York State Library School.

The following are the most noteworthy gifts to the Library, since March, 1910:

From Mr. H. P. Hilliard, $100 for the purchase of Southern literature, continuing his annual gift.

From Ashbel Society, $25 for the purchase of books.

From Germania, its library of 105 volumes, deposited in the University Library in order that its usefulness may be greater.

From various classes in the School of History, 220 volumes.

From various classes in the School of General Literature, 125 volumes.

From Hon. A. S. Burleson, a large number of valuable government documents.

From Mr. E. R. Smith, 14 volumes and 64 pamphlets, relating to theosophy.

From Mr. Jacob Bickler, 32 volumes.

From Dr. A. S. Johnson, 106 volumes and 38 pamphlets, relating to economics.

From Mr. and Mrs. J. E. Oldright, 9 volumes and 156 pamphlets.

From Smithsonian Institution, Harriman Alaska Expedition, 10 volumes.

From Mr. B. H. Dyer, 35 volumes, chiefly text-books.

From Mr. W. H. Young, 470 pamphlets, chiefly magazines.

The following list shows the more expensive books and sets of periodicals added to the Library since March, 1910, and a few notable for reasons other than cost:

Reference books and bibliographies:

Catalogue of the National Library of France. 38 vols.

Century Dictionary. Replacing worn out set.

Royal Society of London, *Catalogue of Scientific Papers.* 14 vols.

Nouvelle Biographie Generale. 46 vols.

National Cyclopedia of American Biography. 14 vols.

Annual Register. 77 vols., completing set.

Illustrating the history of books and printing:

Williams, *History of the Art of Writing.* 4 portfolios of plates.

Vita et Gesta Alexandri Magni. A manuscript on parchment written probably in the 13th century.

Valerius Maximus, *Exempla.* Printed by Aldus at Venice in 1514. Recently bound by Zaehnsdorf.

Castiglione, *The Courtyer.* Printed at the Essex House Press.

Morris, *Note on His Aims.* The last book printed at the Kelmscott Press.

Sets of the Works of Standard Authors. These, badly needed to replace incomplete and worn-out sets, were obtained in the best editions, clean and sound, at an average cost of 94 cents a volume.

The works of Dickens, Scott, Thackeray, Eliot, Holmes, Fielding, Warner, Browning, Kipling, Emerson, Bret Harte, Hawthorne, Longfellow, Lowell, Austen, Parkman.

Engineering:

American Society for Testing Materials, *Proceedings.* 9 vols.

Journal of the Western Society of Engineers. 14 vols.

National Association of Cement Users, *Proceedings.* 6 vols.

Latin:

Facsimile of an early manuscript of Terence.

Facsimile of an early manuscript of Lucretius.

Facsimile of an early manuscript of Livy.

Huebner's collection of facsimiles of Latin inscriptions.

Zoology:

Journal of Experimental Zoology. 7 vols.

Journal of Comparative Neurology and Psychology. 19 vols.

Biological Bulletin. 11 vols., completing set.

Archiv fuer Protistenkunde. 18 vols.

Archiv fuer Entwickelungsmechanik der Organismen. 13 vols.

Romance Languages:

Romanische Forschungen. 6 vols.

Société des Textes Francaises Modernes. 16 vols.

Autores Dramaticos Contemporaneos. 2 vols.

Jahrbuch fuer Romanische und Englische Literatur. 15 vols.

Physics:

Royal Society of London, *Proceedings.* 55 vols., completing set.

Abhandl. der Phys.-Techn. Reichanstalt. 3 vols.

Chemistry:

Zeit. fuer Anorganische Chemie. 70 vols.

Mathematics:

Crelle's *Journal f. Reine und Angewandte Mathematik.* 1874 to date.

Botany:

Sullivant, *I cones Muscorum.* 2 vols.

Architecture:

Daly, *Historic Motifs of Architecture.* 4 vols.

Raguenet, *Materiaux d' Architecture.* 10 vols.

Les Medailles des Concours d' Architecture. 6 vols.

Les Grande Prix de Rome. 5 vols.

Education:

Revue Universitaire. 36 vols.

Revue Internationale de l' Enseignement. 58 vols.
Economics:
London Economist. 67 vols.
History:
Lamprecht, *Deutsche Geschichte.* 19 vols.
Lee & Thorpe, *History of North America.* 20 vols.
German:
Jahresb. f. Neuere Deutsche Literaturgeschichte. 22 vols.
Philosophy:
Archiv. f. die Gesammte Psychologie. 15 vols.
Geology:
Appalachia. 11 vols.
Berghaus, *Physikalische Atlas.*
Misce..aneous:
Craftsman. 15 vols.
Harper's Weekly. Civil War Volumes.
Journal of American Folk Lore. 22 vols.

N. L. G.

THE DEPARTMENT OF ENGINEERING

Probation Students

At the beginning of the Winter Term it was found that 30 of the 250 Engineers had joined the class of cripples—or, in the parlance of the students, the class of "lame ducks." Ten of these were forced to withdraw on account of extremely low grades. Of these ten, three were first-year men; two, second-year men; three, third-year men; and three, four-year men. Twenty were put on probation for one month, and the majority of these improved their grades to such an extent that the probation was removed on the first day of February. The certainty of the day of judgment has proved one of the greatest sanitary factors in the intellectual health of the Department.

Enrollment

Up to the close of the Spring Term there were 287 students taking engineering work. Of these, 270 were bona fide Engineers and 17 were specials; 40 were classed as Seniors; 66, Juniors; 71, Sophomores; and 22, Specials, making a total enrollment of 292. If there is not a new epidemic or calamity during the Spring Term, the banner class in numbers will be graduated next June.

Loan Fund

The Engineering students during the Winter Term inaugurated a new departure in the finances of the University. The Annual Receptions for the last three years had been so successfully managed that a surplus of $160 had been saved and was in the bank on deposit. The Engineers in a mass meeting authorized the creation of a

Loan Fund, and ordered this surplus from the Receptions to be transferred to this Loan Fund. The Dean was requested to write to former students and request subscriptions towards this fund. This was done, and friends have raised the amount up to date to $333; it is expected that this amount will reach $400 before the close of the present session. The Loan Fund is designed to help poor, deserving students who are working for an Engineering degree. The Engineering students realize that many of their comrades are poor, and devised this plan of helping them. In addition to the contributions from former students it is expected that each Senior will sign a note agreeing to pay so much per year for five years. The present Senior class will probably pay during the next session over $150, and it is certain that no Senior class hereafter will fall below this amount. It is contemplated that five classes will be contributing to this fund each year and that it will increase by contributions from alumni at the rate of $500 per year. It is in fact and in purpose a self-helping enterprise, and so far not a cent has been subscribed by outside parties. The fund will be under the control of a board of three trustees, and for the present will be loaned to poor boys of the Junior and Senior classes. The rate of interest will be 6 per cent, and by the plan adopted the fund will continually increase in two ways—first, by the interest paid on the outstanding loans, and second, by the contributions from each outgoing Senior class.

A New Order

A new order was established during the last term, known as the "Knights of A. F. C." Eligibility to membership consists in ability to execute the two-step or to make a violent assault with intent to execute the same. To an old settler it brings to mind the days when Dr. Benedict, while a student-inhabitant of "B" Hall, originated the "Rhizopods," an equally fantastic organization of a few ambitious and worthy students, whose desire was to compete with the famous "Centipedes."

Electrical Engineering

The Electrical Engineering School will probably graduate fourteen students this year, and nearly all have satisfactory positions open for them. A number will go with the General Electric Co., others with the Westinghouse Electric and Manufacturing Co., and the remainder have good prospective positions in Texas with the larger public service corporations. The managers of two of the large corporations in the State have recently made personal trips to the University to talk with the Electrical Engineering Faculty and students concerning their work after graduation.

A thesis on the electrical conductivity and other tests of wood preservatives will be completed by three of the Senior Electrical Engineering students and will undoubtedly add something to the present

knowledge of the precise behavior of the wood preservatives now upon the market. The question is an important one to electrical engineers because of the necessity for the use of wood preservatives on poles for supporting electric circuits, and on ties for railways.

Mr. Walter L. Eyres, a graduate in Electrical Engineering in 1910, and Fellow in the Electrical Engineering School during the past year, has accepted a position as Superintendent of the Water, Light, and Power plant at Lafayette, La. Mr. Eyres has shown himself to be a thoroughly capable and reliable man in connection with his University work, and in accepting greater responsibility in his new field has the good will of the entire Engineering Department.

MATTERS OF PUBLIC INTEREST FROM THE MINUTES OF THE FACULTY

General Faculty—Meeting of January 10, 1911

A committee was appointed to consider the advisability of

1. Changing the hours of recitation from 9:00 to 8:30, the morning ending at 12:30.
2. Changing proportion of laboratory work to recitation or lecture work from 3:1 to 2:1.
3. Having morning laboratory sections.

General Faculty—Meeting of March 3, 1911

President Mezes addressed the Faculty concerning the facts leading up to the shooting of a student by another student on the night of March 2. The following resolution was introduced and adopted:

"Whereas, in the last few days, serious and deplorable disorders have occurred among the students of the University, culminating in the tragic shooting of a student by a fellow student, and

"Whereas the rush, hazing, and attempted hazing of Wednesday and Thursday appear to have been among the causes of this tragic event, as this Faculty has since learned, and

"Whereas these practices are grave evils in themselves, and if continued will inevitably, sooner or later, result in similar tragedies:

"Be it Resolved by the Faculty of the University of Texas,

"First, That students who engage in rushes or hazing have no proper place in this institution, and that hereafter only such applicants will be admitted to the University as voluntarily pledge themselves on their honor not to encourage or participate in either of these two practices, provided that contests among students conducted according to rules approved by the Faculty shall not be classed as rushes.

"Second, That the Faculty approves the declaration of the Students' Association made this day that they 'will do all they reasonably can to abolish rushes as now conducted here, and hazing,' and will

welcome the assistance of the students in bringing about this result, desired in common by them and by the Faculty.

"Third, That the Discipline Committee be hereby instructed to continue its investigation of the deplorable occurrences first mentioned, and to inflict adequate and fair punishment on any students that may be found guilty."

College of Arts—Meeting of January 31, 1911

The Faculty adopted the following resolutions bearing upon final examinations:

"Resolved, That as far as practicable, all term examination questions be printed; and that each school faculty in at least one meeting a year devote some time to discussion of its questions.

"Resolved, That the Dean of the College of Arts be largely relieved of instructorial duties and of such clerical and administrative functions as may be performed as efficiently and more economically by capable assistants, and that he be given the especial task of investigating problems of undergraduate instruction and of making recommendations to the Faculty.

"Whereas, It is the opinion of the committee, (a) that all courses have not equal thought-value, and so should not have equal value for degrees; (b) that our present requirements for degrees allow too great freedom of election; (c) that there is a lack of grouping or interrelation of courses; (d) that there should be more concentration of time and thought on fewer subjects in a given term;

"Resolved, That a committee be appointed to investigate the whole question of courses—their value, their grouping, the number to be taken at one time, and the number of hours to be given to each."

The committee recommended was appointed, action to be reported at a later meeting.

College of Arts—Meeting of March 7, 1911

The Committee on Curriculum and Courses appointed at the meeting on January 31 submitted the following substitute for Restriction G in the catalogue, which was adopted:

"Not more than 5 courses may be counted in one school, not more than 5 in the Schools of English and General Literature together, not more than 7 in the schools of Economics, Government, and Institutional History together (formerly the School of Political Science)."

Education Faculty—Meeting of January 24, 1911

The Faculty voted that for irregular students of freshman grade, who intended to teach the following year, in place of Education 31, 32, and 33, a new course be substituted, Education 41, 42, and 43, which would include work in the Psycology of Education, and method and management. Students who have taken this course would not be required afterwards to take Education 3 and 4 as preliminary to other courses; but would, in their Junior year, be required to take

Education 100, a modified course in the history of Education, not an advanced course. Students completing Education 99 and 100 would be allowed to take any and all advanced courses in Education except Education 5.

EDUCATION FACULTY—MEETING OF FEBRUARY 28, 1911

The Faculty adopted and mailed to Mr. George W. Brackenridge, who has recently resigned from the Board of Regents of the University, the following resolution:

"Resolved, That the Faculty of the Department of Education of the University of Texas expresses to the Hon. George W. Brackenridge its profound regret at his retirement from the Board of Regents of the University, and cordially hope that his health may be speedily restored.

"Resolved, That we express to Mr. Brackenridge our sincere appreciation of the wise direction and powerful aid which he has so long and unfailingly given to the University in all its departments. The encouragement which he has given, and the intelligent appreciation which he has ever shown for the work of this Department of Education has been a constant inspiration to its instructors and a material factor in its rapid development."

ENGINEERING FACULTY—MEETING OF NOVEMBER 15, 1910

The Committee on Students' Meetings recommended that the Students' Association be asked to hold its meetings at such times as would not interfere with class room or laboratory work.

E. E. 20 (Heating and Ventilation) was prescribed for the C. E. degree (Sanitary Groups), and E. E. 12 was stricken out from the requirements of this degree.

C. E. 33 was made optional with C. E. 31f, and Chemistry 16 and 17 was made optional with Chemistry 24 and 25.

ENGINEERING FACULTY—MEETING OF JANUARY 19, 1911

By the vote of the Faculty, four courses of non-engineering work were added to the requirements for C. E., E. E., and M. E. degrees.

ENGINEERING FACULTY—MEETING OF FEBRUARY 3, 1911

A committee was appointed to draft and send resolutions on the resignation of Regent Brackenridge. J. A. L.

TRANSACTIONS OF THE BOARD OF REGENTS

Special Meeting—January 9, 1911, at Austin

An additional student assistant was authorized for the School of Physics.

The leave of absence previously granted on the score of his health to Dr. William Keiller, of the Medical Department, was extended through the Winter Term, and the Executive Committee was authorized to extend it through the Spring Term if necessary.

Judge A. W. Terrell presented an itemized report, as Chairman of the Building Committee, of the work done to date on the Library Building. The report was adopted as part of the minutes, and Judge Terrell thanked for his faithful service.

It was voted to accept the new heating and power plant, and to pay the sum still due the contractors.

Mr. Brackenridge, Chairman of the Land Committee, reported that he had sent Mr. C. H. Winkler, Instructor in Agricultural Botany in the University, and Professor Udden, of the Illinois State and the United States Geological Survey, the leading expert in the country on underground water, to examine the University lands with a view to increasing, if possible, the income from them. Written reports from them will be presented shortly. Mr. Winkler gave a brief oral report. The Board approved the action of Mr. Brackenridge, and ordered the expenses of the trip paid when the reports were received.

The Board having invited the gentlemen appointed as their successors to meet with them, Messrs. Stark, Sanger, Ousley, Kirby, and Littlefield were present, and matters of interest to the University were discussed.

Meeting of January 24, 1911, at Austin

The new Board appointed by Governor Colquitt met for the purpose of organization. There were present Messrs. Clarence Ousley, of Fort Worth; George W. Littlefield, of Austin; Fred W. Cook, of San Antonio; Alex Sanger, of Dallas; and W. H. Stark, of Orange. The other appointees, Messrs. George W. Brackenridge, of San Antonio; John H. Kirby, of Houston; and W. H. Burges, of El Paso, were unable to be present.

Mr. Ousley was elected Chairman, Mr. Brackenridge, Vice-Chairman; E. J. Matthews, Secretary, all for a period of two years.

It was voted that a joint meeting be held of the governing boards of the College of Industrial Arts and the Agricultural and Mechanical College for the purpose of discussing legislative matters of mutual interest.

STUDENT INTERESTS

Y. M. C. A.

The item of largest interest in the work of the Young Men's Christian Association for the winter term centered in the "Bible Study Institute," held in February. Mr. Clayton S. Cooper, Senior Secretary of the Bible Study Department of the International Committee of Y. M. C. A., visited our Association, and the program was so arranged as to deal with the problems peculiar to the situation here, and get some ideas, and inspiration from the growing work in other colleges and universities. Mr. Cooper has recently made a world tour, studying the conditions in foreign universities, and he is thoroughly familiar with the Bible study work of all American colleges. Last spring he published a series of articles in the "Century Magazine" on "The Bible Among the Nations." Thus we had a speaker and counsellor well equipped to be of much service in carrying out the program.

The student and church relationship was the first problem taken up. A fine paper was read by Mr. Eugene Tanner on this subject. Dr. Jewett spoke on "The Duty of the Church to Provide Constructive Bible Study," and representatives from the several University churches gave a few moments each on "Ways and Means of Promoting Bible Classes for Students." A general discussion followed. At night, in the Auditorium of the University, the churches united in a service to hear Mr. Cooper on "Bible Study the World Around," illustrated with views from many lands. Monday afternoon there was a session for Fraternity men. Mr. Z. S. Armstrong read a very fine paper on "The Significance of Having a Bible Class in the Chapter," and Dr. D. N. McLauchlin spoke forcibly on "Christ and the Spirit of Brotherhood." Two more chapters with representatives present decided to inaugurate a class in their chapter. Monday evening in the University Methodist Church the closing session of the Institute was held. It proved one of the most interesting and fruitful of the whole session. The intention was to deal with the fundamentals of religion in terms of modern thought. Mr. John H. Keen read a paper on "Does Faith Exist at the Expense of Reason?" Dr. W. T. Mather spoke on "Faith and the Scientific Spirit," and Dr. R. E. Vinson followed with "Faith and the Life." There was a thorough study and airing of doubts and difficulties, or apparent ones, resulting in the establishment of a more reasonable faith. The threefold purpose of the institute was well realized. Delegates from Southwestern University and neighboring institutions were invited.

Increasing interest in the building is noticeable among the students. Work on it continues, and the contractors promise to have it ready by the opening of school next fall. It will be thoroughly furnished and equipped. A few changes for the better have been made, delaying things somewhat. The swimming pool is to be lined with white

tile and to have a white marble edge; this will be a great improvement over the proposed cement pool. There are a few minor changes in the heating and kind of plaster, but all of these have been made with a view of getting the very best results. Subscriptions are being paid fairly well, and with the total amount collected that is subscribed, there will be a well equipped plant for the work.

Large plans are already under way to make this building the social and religious center of University life. The dedication of the building and the opening of it to the student body will probably bring together a large number of prominent alumni. The program will be arranged this spring, and invitations sent out to speakers and visitors.

E. E. M.

Men's Literary Societies

The literary societies have not, despite the excellent work accomplished during the Fall Term, escaped the apathy that always creeps into literary activities during the Winter and Spring Terms. The experience of several years has demonstrated that after the holidays the attendance very materially diminishes. Some rules designed to prevent this inertia by making attendance upon the meetings a prerequisite to entering the contests were passed during the Fall Term, but they have not proved entirely effective. Nevertheless, the meetings in both the Athenaeum and the Rusk have surpassed in interest the usual Winter Term standards, and the members regularly attending have showed gratifying enthusiam.

Most of the inter-society contests for the session took place during the Winter Term, and in each instance the encounters were highly successful and attracted large crowds. The greatest interest, of course, centered in the annual debate between the Athenaeum and the Rusk. On January 19th, the four men from each society selected in the December preliminaries met in the Auditorium and debated the question, "Resolved, That the Principle of Free Raw Material Would Be for the Best Interests of the South." The Rusk, supporting the affirmative of the resolution, was represented by Messrs. Allen R. Grambling, of Dallas; A. M. Ousley, of Denton; G. L. Perkinson, of Temple; and Douglas E. Tomlinson, of Hillsboro. The Athenaeum, defending the negative, was represented by Messrs. Robert E. Eubank, of Paris; Eugene L. Harris, of El Paso; Luther S. Hoffman, of Denton; and Hugh M. Potter, of Gainesville. Several prizes were at stake in the debate,—the winning of the contest by one of the teams, the selection of the individual men for the inter-collegiate teams, and the prizes to the best and second best debaters offered by Mr. Wroe and the Bahn Optical Company. The judges of the debate awarded the decision to the affirmative, the Rusk thus scoring her first victory over the Athenaeum in several years. Mr. Potter was pronounced the best individual debater, and Mr. Hoffman received the second prize. The following men were selected for the three inter-collegiate

teams: Messrs. Harris, Hoffman, Ousley, Perkinson, Potter, and Tomlinson.

Immediately after the inter-society contest the three teams were grouped, and the debaters have been diligently at work since that time. Texas will debate for the first time this year in the New Pentagonal League of Southern State Universities, the five institutions being the Universities of Arkansas, Louisiana, Mississippi, Tennessee, and Texas. Tennessee will send a team to Austin, and a team will go from Texas to Mississippi. Both these debates will take place April 7th. Messrs. Perkinson and Owsley will meet Mississippi at Oxford, and Messrs. Harris and Tomlinson will debate with Tennessee. The third struggle will be with the University of Missouri, for which team Messrs. Potter and Hoffman have been chosen.

Every indication points to a most successful series of inter-collegiate encounters. The work of drilling the teams is better organized this year than it has ever been. Professor Shurter, aided by the Debating Council, has inaugurated a coaching system, and coaches selected from the Faculty and student body have been appointed to work with each of the teams.

The other two inter-society contests of the Winter Term were quite as successful as the debate. In the Cobb contest, Grover C. Good, of Grand Prairie, won the first prize, and Walter G. Miller, of McKinney, won the second place. The oratorical contest for the Evans prize was held this year in the chamber of the House of Representatives, in accordance with the wishes of the donor. W. W. Meachum, of Anderson, was given the first prize, and A. R. Grambling, of Dallas, won the second place. Mr. Meachum will, as the winner of the first place, represent Texas at the State Oratorical Contest to be held in April.

R. E. C.

The Curtain Club in "The Miser"

On the evening of February 21, the Curtain Club presented in the University Auditorium its third annual play, Moliere's *L'Avare* in English, with the following *dramatis personae:*

Harpagon ..... Mr. Hardwicke
Cléante, his son ..... Mr. Rosser
Anselme ..... Mr. Jones
Valére, his son ..... Mr. Taliaferro
Master Simon, a broker ..... Mr. McDermott
Master Jacques, coachman and cook ..... Mr. English
La Fléche, valet ..... Mr. Garrett
Brindavoine, lackey ..... Mr. Trueheart
La Merluche, lackey ..... Mr. Hardie
A magistrate ..... Mr. Cole
His clerk ..... Mr. Hill
Elsie, daughter to Harpagon ..... Mr. Stamps
Marianne, daughter to Anselme ..... Mr. Brenizer

Frosine, an intriguing woman.....Mr. Levy
Mistress Claude, a servant.....Mr. Platter
A page .....Master Rice
Another page .....Master Walling
House boy .....Master McLaurin

Since the club has heretofore confined its efforts to the rendering of English plays of the Elizabethan age, this entry into the French classic drama marked a bold innovation. Most college audiences are fairly familiar with dramatic customs in Shakespeare's time, and the historical interest in a play of the period will demand a response from them. But with Moliere's comedies this can not be expected. If the play is not well acted, it will probably fail.

For this reason and others the success of "The Miser" speaks well for Mr. Young and the students he has coached. Much the largest audience that has attended any of the club's plays were quick to show appreciation and genuine enthusiasm. The actors playing men's parts were quite at home on the stage, and the fair ladies did their best to appear so. Mr. Hardwicke in the titular role carried the heaviest part in convincing fashion. Mr. Rosser as Cleante showed more restraint and probably better acting than he has shown in previous plays. Mr. English's part did not furnish the opportunities he was given last year to display unusual interpretative skill, but whenever the occasion arose, he played his role well. Mr. Taliaferro and Mr. Levy are likewise worthy of special mention.

The general conduct of the play and the entire staging of it bore new testimony to Professor Young's ability as coach and stage director and to his good taste. On neither point was room left for criticism. At this writing the club is preparing to repeat the performance in several north Texas cities. R. A. L.

The German Play

On the evening of the thirteenth of January, Blumenthal and Kadelburg's popular comedy, "Die Groszstadtluft," was presented in the University Auditorium by the Dramatic Club of the Germania Literary Society. The attendance was greater than at any German play heretofore given at the University, and the play was received with extreme enthusiasm.

The cast of characters was as follows:

Martin Schroeter, manufacturer.....Carl Runge
Sabine, his daughter.....Miss Irma Lieb
Walter Lenz, counsellor-at-law.....E. L. Schostag
Antonio, his wife.....Miss Gertrude Leonards
Bernhard Gempe, her cousin.....R. A. Studhalter
Fritz Flemming, engineer.....H. W. Leonards
Doctor Crusius .....William Trenckmann
Mrs. Crusius .....Q. V. Miller

After the performance at the University the troupe left for an

extended tour, presenting the play at New Braunfels (February 1), San Antonio (February 2), Comfort (February 3), and Fredericksburg (February 4). At each of these places the players were greeted by large and enthusiastic audiences.

Dr. Primer was coach, having been assisted by Mrs. W. A. Trenckmann and Max Bickler. Miss Helene Bastian chaperoned the troupe, and H. W. Leonards was the business manager.

The following are translations of extracts from clippings from some of the German newspapers, and show how the efforts of the club were enjoyed and appreciated at those places:

Das Wochenblatt (Austin): "In respect to this year's German play, presented by the Germania, several gratifying things may be said. In the first place, the Germans of Austin attended in large numbers, and some even came from considerable distances. * * * Furthermore, we believe ourselves justified in saying that all the spectators left highly satisfied."

New Braunfelser Zeitung: "This play ranked far above the average amateur performance."

Freie Presse fuer Texas (San Antonio): "Although the presentation revealed the lack of a practical knowledge of the stage, several parts were acted extremely well. As a whole the production was a very creditable one. * * * The efforts of these young people are commendable, and we hope to see them in another play next year."

Fredericksburger Wochenblatt: "The Germania, with such a presentation, can count at all times upon an appreciative audience and a crowded house in this city." H. W. L.

Social Life

For a long time the various social organizations of the University have suffered for the lack of a place large enough to accommodate the crowds that attend their entertainments. Those of the University people who enjoyed going to dances have been obliged to accustom themselves to dancing in very close quarters. For this reason the opening of the new Knights of Columbus hall was greeted with considerable satisfaction. The dance floor of the new hall is nearly twice the size of that at Eighth Street hall, being the second largest floor in the State, it is said. It seemed somewhat rough the first few times it was used, but later it was planed and polished, and is now thoroughly satisfactory. It is very likely that hereafter nearly all the larger entertainments will take place there. It is the only place that has ever accommodated comfortably the large crowds that attend big affairs like the Freshman reception.

The new hall was opened on the twelfth of January with a dance given by town and University people as a farewell compliment to the Misses Campbell. A couple of weeks later Mrs. Clarence H. Miller gave a very enjoyable dance there in honor of the Alpha Delta Phi and Pi Beta Phi Sororities. Later the hall was used by the Rattlers,

the Arrow Head Club, and the Kappa Alpha Fraternity, all of whom gave rather elaborate entertainments. The Freshman Reception was, as usual very largely attended, and, although the upper-classmen tried in a good-natured way to interfere, was a very successful affair, bringing out a great many who had up to that time participated but slightly in University social functions. The Arrow Head dance deserves special mention, as it was probably the most attractive dance that has ever been given by a University organization. The Chantecler idea was used throughout, the hall being decorated to represent a barnyard, and chantecler caps and toy fowls being given out as favors in the grand march and the cotillion. The refreshments, also observing the Chantecler motif, were served by candle light at small tables each seating just four persons.

Other of the more pretentious entertainments during the winter term were the Inaugural Ball and the Anglers' dance. The Inaugural Ball is not, of course, a University affair, but it was the most important social event of the year in Austin, and was attended by a great many University people. Prominent people from all parts of the State were there in great numbers. The young ladies of the Angler's Club gave their dance on the first of March at Eighth Street hall, which was decorated as a garden of sunflowers for the occasion.

Besides all these special entertainments, the regular activities of various groups were kept up. The sororities and the young ladies' boarding-houses kept the customary open house on the first Saturday evening of each month, and the German Club gave its regular fortnightly hops at Eighth Street hall. To vary the regular routine of the germans it was decided to make the one on the eleventh of February a masquerade. It was not an unqualified success, as there were only a few who took the trouble to get up original and attractive costumes for the occasion. The young ladies of the Woman's Building had several enjoyable parties, among them a Valentine tea, a colonial dance on Washington's birthday, and a baby party given them by the Athletic Council. The Annual Junior Prom., given by the Junior girls to the Senior girls, was held at Eighth Street hall this year, instead of at the Woman's Building, as heretofore. Several of the fraternities entertained informally at their houses.

One entertainment that was held at the Woman's Building was an innovation, the Academic Reception. It is hoped that the department will hereafter regard this as a precedent to be followed and have a department entertainment of some sort each year. Such affairs tend to make the University social life more general and homogeneous.

The Faculty did not remain entirely in seclusion during the winter term. The University Club was the scene of several enjoyable informal parties, among which were a musical evening, a candy pull, and a masquerade. Mrs. W. G. Bell, Miss Kathryn Bickler, and Dr. Hans Harthan were the artists who appeared on the musical

program. The masquerade of last year having been such a success, it was decided to make it an annual affair. This time it was given on Washington's birthday. A great deal of interest was taken in it, and the costumes were most attractive. Pirates, devils, clowns, monks, nuns, chefs, bell-boys, Spanish dancers, medieval ladies, courtiers of the Louis XIV period, the Pied Piper, a sailor lad, colonial dames, all were there jostling one another, each contributing his share toward the realization of the true carnival spirit. Among the most attractive costumes were those of a belle and a beau of 1850, the hoop-skirt and black stock period. The University Ladies' Club entertained at the club several times, once in honor of Mrs. Colquitt and the ladies of the new administration and of the Legislature.

This catalogue of entertainments is a pretty long one. Of course, the winter is the busiest of all socially, but I do not wish to leave the impression that the entire term was spent in dance and frolic. Such an impression would be totally incorrect, for the different entertainments were attended to a considerable extent by different crowds. It is a safe guess that very few individuals went to more than half the functions that have been mentioned, and there are probably a considerable number of our body-politic who stayed away from them all. There was one big entertainment that everybody in the University attended, from the President down to the sergeant-at-arms of the Freshman class, and that was the very warm reception that was given to the Legislature, described elsewhere in this issue of the Record. T. S. H.

ATHLETICS

With the Winter Term came the usual lull in athletics, but tennis and basketball were actively carried on.

Basketball practice was begun early in the term and continued throughout the season, under the coaching of Prof. W. E. Metzenthin, but the team met with but little success. Only five games were played, with one victory and four defeats, and there was some dissatisfaction among the students because only one game was played on the home grounds. This game—with Baylor on Clark Field—was lost by a narrow margin after a very close contest. The team then made a trip across the Mississippi River, meeting Tulane, Louisiana State University, and the Alabama Institute of Technology of Auburn.

The scores of the games follow:

St. Edwards, 16; University of Texas, 69; at St. Edwards.

Baylor, 32; University of Texas, 31; at Austin.

Tulane, 27; University of Texas, 19; at New Orleans.

Louisiana, 37; University of Texas, 9; at Baton Rouge.

Auburn, 45; University of Texas, 27; at Auburn.

Messrs. T. W. Gregory and J. H. Hart were re-elected alumni mem-

bers of the Athletic Council, and Mr. R. H. Connerly was elected to succeed Mr. Max Bickler.

The Athletic Council selected as managers and assistant managers of the teams the following gentlemen: S. L. Pickney, Manager of the Football Team; P. B. Garrett, Assistant Manager of the Football Team; H. L. Platter, Manager of the Baseball Team; W. A. Dealey, Assistant Manager of the Baseball Team; B. C. Anderson, Manager of the Track Team; J. A. Cohn, Assistant Manager of the Track Team; T. Hardie, Manager of the Basketball Team; T. D. Stamps, Assistant Manager of the Basketball Team.

W. S. Wasmund was reappointed coach of the Football Team for the season of 1911.

W. J. Disch was appointed coach of the Baseball Team, and trainer of the Football Team at a salary of $1500 per annum. His services began on the first of January and are to continue for a year.

J. B. Rix was appointed coach of the Track Team for the Spring Term.

During the Winter Term a minstrel performance was given at the opera house by students of the University under the direction of P. B. Garrett, for the benefit of University athletics. The net proceeds were $184.50, of which $87.45 was used to pay the deficit incurred by the basketball team on its trip. The Council also received $155.00, the proceeds of a similar performance, given last spring for the same purpose.

The Athletic Council authorized the Chairman of the Council to erect a new, covered grand stand on Clark Field. The Council is to furnish the material, and expects that the structure will be erected without expense by the labors of the students. E. C. H. B.

ALUMNI NOTES

The following letter to the alumni of the University was sent out by President Parker in December. The response to this letter was prompt and in every respect gratifying. Up to the present time over a thousand dollars has been collected:

A Letter to the Alumni

"Houston, Texas, December 20, 1910.

"To the Alumni of the University of Texas:

"For several years past the Alumni Association of the University of Texas has not possessed that vigor essential to practical achievement. The annual meetings have been attended by comparatively few members and the exercises have consequently been somewhat perfunctory. The Association has at this time no complete records, no fixed habitation, no funds (save contributions to the Gymnasium Fund), no really effective organization.

"That such a condition should not be permitted to continue does not admit of argument. That it shall not longer exist has been de-

termined by your Executive Council. As a step toward perfecting with the abundant material at hand the strongest organization in Texas for the upbuilding of the University and the State, it has been determined:

"1. To arrange for class reunions at each Commencement.

"2. To enforce the rule providing for the payment of annual dues.

"3. To establish an Alumni Magazine.

"4. To furnish and equip in the University a room to be provided by the Board of Regents as Alumni Headquarters.

"5. To provide for a permanent secretary who shall be immediately charged with the execution of such plans as the Association may adopt.

"The authorities of the University will join the Alumni Association in arranging for a reunion at Austin, either during Commencement of 1911 or on Thanksgiving Day, 1911, for the classes of the first decennial—from 1884 to 1893, inclusive. In 1912 the classes of the second decennial will meet, and in 1913 the classes of the third decennial. At each reunion the specially honored guests will be those belonging to the class whose members have been graduated for just twenty-five years, but as far as possible each of the three proposed reunions will be made a general reunion of all Alumni.

"Out of these reunions will spring close class organizations, and it is suggested that arrangements be made by each class to meet in Austin every fifth year. The forces set in operation by a general participation of graduates and former students of the University in these annual gatherings, directed by efficient executive officers, will have behind them a driving power and force that will place the University not only in the forefront in all matters educational, but will make it a potent factor in all that tells for real progress throughout the State.

"This Association has had no money in its treasury since 1905; the office of treasurer has, in fact, been left unfilled. In order to secure much needed funds, provision has been made for dividing the membership of the Association into three classes, viz.: (1) Regular Active Members; (2) Endowment Members; and (3) Life Members, each member of the Association having the privilege of electing to which class he will belong. Each Active Member of the Association will have the privilege of paying each year annual dues of $1.00; or, in order to avoid the annoyance of making a remittance each year and to provide the Association at this time with needed funds, the members may and, where convenient so to do, are urged to remit $5.00 for annual dues for a period of five years, 1910-1915.

"Each Endowment Member will pay $10.00 per year for five consecutive years, and upon making the fifth payment shall be entitled to a certificate of life membership.

"A Life Member will pay $50.00, which will fully and finally discharge all obligation to pay dues to the Association and entitle him to a certificate of life membership.

"All members will receive free the Alumni Magazine and any other publications of the Association. It is contemplated that the payments made by the Endowment Members and Life Members will be applied only to investments of a permanent character. The names and addresses of all members of the Association will be published annually.

"Assuming that the foregoing plan will have the cordial and earnest support of the Alumni, the Association will soon be lodged in permanent quarters of the Main Building of the University at Austin, which has been placed at its disposal by the President of the University, and a compact effective organization will be perfected without delay, through which the Association will be able, measurably, at least, to accomplish the purposes for which it is organized. The Alumni headquarters at the University will soon become a comfortable, convenient, and popular resort for all members of the Association visiting Austin, and it is not too much to expect that from this modest beginning will grow in the near future upon the University campus a commodious Alumni Club House.

"The experience of other large universites gives warrant for the general plan of reorganization here briefly outlined. There can be no question but that a State university, perhaps more than any other educational institution, has need for an active, vigilant, and loyal working body of alumni to look out for its interests. You have doubtless noticed from the press reports that the University of Texas through its Board of Regents, is requesting of the Legislature the levying of a special tax to provide for its maintenance and support. The proposed plan will bear the closest scrutiny and, it is believed, will commend itself strongly to every friend of higher education who will take the trouble to examine it with care. Perhaps the strongest single force which could be employed to further this and similar movements in the interest of the University is a compactly organized and loyal Alumni Association.

"Each man or woman to whom this communication is addressed is or ought to be busy. My observation is that those who are busiest and (in the largest sense) most successful, manage in some way to find time to devote to those things which are really worth while. Bearing this in mind, I am persuaded that few copies of this communication will find their way into waste baskets—at least until those to whom they are addressed have signed the accompanying cards and made a remittance of dues to the Secretary of this Association at Austin, Texas.

"Very sincerely yours,
"EDWIN B. PARKER,
"President Alumni Association of the University of Texas."

In March a second letter was mailed by the Secretary of the Association to all those who had failed to respond to President Parker's letter. This letter, with comments from President Mezes and others, follows:

HAVEN'T YOU FORGOTTEN

To sign and send in the membership card of the Alumni Association of the University of Texas, sent to you by President E. B. Parker a month or so ago? Won't you sign and forward to the Secretary the enclosed card before you forget again?

President Parker is leading a vigorous campaign to reorganize the Alumni Association, so that concerted action may be taken for whatever concerns the best interests of the University of Texas. It is planned, through the permanent headquarters of the Association in the Main University at Austin, to arrange for class reunions at each Commencement, to establish an Alumni Magazine, and to furnish and equip a room provided by the Board of Regents in the Main Building. Of course, such arrangements are only preliminary to the larger work of supporting the institution in every legitimate endeavor. To accomplish any results whatever funds are needed.

It is earnestly hoped that you will become a part of the movement.

JOHN A. LOMAX,
Secretary of the Alumni Association.

"No other single move will help the University as much throughout Texas as a vigorous organization of the Alumni. I hope every alumnus will take part in this movement. In doing so he will do his duty to the State which gave him his highest educational advantages, and will personally reap an ample reward in addition."—President Mezes.

"The most positive way for the Alumni of the University of Texas to be effective in behalf of the institution is by co-operating with and acting through the Alumni Association, which is vigorously and rationally at work. Let each get in touch with all the others by joining the Association and pushing forward all lines of action advocated by it. By combining in this way, the individual efforts, which would otherwise be largely wasted, can be conserved and made mighty for the good of the institution."—Judge Jno. C. Townes, Dean of the Law Department.

"To the Engineer, membership in the Alumni Association is particularly valuable. Engineers are somewhat nomadic in their life and it is of the utmost importance that they have means of communicating with their old comrades in and out of arms. Membership in the Alumni Association will always give an Engineer a local habitation, and will give all his friends an address through which he can be reached with reasonable dispatch. A letter addressed to a member of the Alumni Association, care of the Secretary at Austin,

will be sent on its way to its intended victim."—Professor T. U. Taylor, Dean of Engineering Department.

"The effort to arouse an active interest among the Alumni and former students in the welfare of the University is a most important one. Nothing could do more to unify its various departments."—Dr. W. S. Carter, Dean of the Medical Department.

"The graduates of the Medical and Pharmaceutical Departments, of course, do not come in close contact with those of the Main University, owing to a difference in geographical location; however, they should to a man become active and enthusiastic members of the general Association, inasmuch as the results obtained by its efforts will of necessity benefit the Medical Department, and I hope to see the day when we can truthfully state that all graduates of all Departments of the University have banded themselves together by indissoluble bonds to make the University of Texas one of the first class, in accordance with the ideas and views of its founders."—Dr. David H. Lawrence, President Alumni Association of the Medical Department.

Miscellaneous Notes

1886

Walter Gillis, a graduate of the Law Department, is a prominent lawyer of Del Rio. He is also Vice-President of the First National bank of that place. Mr. Gillis has a son seventeen years old now in the freshman class of the University.

C. K. Lee, now a prominent attorney in Fort Worth, is enthusiastic in the belief that the ex-students and alumni of that city, if sufficiently encouraged and organized in a body, would be a great help to the University. He called to the attention of Mr. Parker, President of the Alumni Association, that,—on the basis of endowment membership, that is, $10 a year from each man for five years,—the University of Texas people in Fort Worth alone ought to be able to raise $500 a year for the Association.

1887

Lobel Alva Carlton, B. Lit., is practicing law in Beaumont.

1889

Ed. H. McCuiston, a former student, is now mayor of Paris, Texas.

1891

H. Galbraith, a former student, is now at the head of the Daily and Weekly *Transcript*, a live publication at Terrell.

1894

Tom J. Lee, LL.B., is vice-president and general manager of the Rascon Manufacturing and Development Company, of Rascon, Mexico. He yet keeps his permanent address at Galveston.

Van Dyke Todd, formerly of Jefferson, is pastor of the First Baptist Church, Coalingua, California.

1895

Rudolph Kleberg, Jr., B. A., is county judge of DeWitt County.

1896

W. S. Parker, B. S., M. D., is a prominent physician of Calvert.

Ray McLane is engaged in farming in California.

Henry Benjamin Dechard, M. D., was married April 12, 1911, to Miss Fannie Dealey, daughter of G. B. Dealy of the Dallas-Galveston *News*. Miss Dealey attended the University in 1906-07.

Andrew Paul Raggio, B. A., afterwards A. M. and Ph. D. of Harvard, is now Assistant Professor of Romance Languages, University of Maine.

1897

Florence P. Lewis, B. A., is Instructor in Mathematics at Goucher College, Baltimore, Md.

A University of Texas Club has been formed in Waco with the following officers, all former students of the University of Texas: President, Pat M. Neff, 1897; Vice-President, Allan D. Sanford, 1892; Secretary and Treasurer, Chauncey J. Glover, Jr., 1906. The following are members of one of the committees: Frank T. West, 1902; Miss Annie M. Forsgard, 1896; and Scott Key, 1902.

1897

Walter McCaleb, M. A., is president of the West Texas Bank and Trust Company, San Antonio.

Fred Herndon Lawrence, M. L., was married October 26, 1910, to Miss Christine Young, of Marshall.

1898

Harry A. Ingalls, M. D., is captain and post surgeon in the New Mexico Military Institute, Roswell, N. M.

Howard Parker, LL. B., is now State Reporter of Oklahoma, Guthrie, Oklahoma.

Stephen A. Foote, M. D., is city physician at Bay City.

Henry George Howard, M. A., is a missionary in Kodoli Kolhopur, India.

1899

Raymond Hill, a graduate of the Law Department, died in Dallas, April 12, 1911.

Dr. K. H. Beall, M. S., and Dr. F. C. Beall, B. S., 1902, both of whom studied medicine in Johns Hopkins University, are practicing physicians in Fort Worth. Dr. K. H. Beall was married April 19 to Miss Camilla La Batt, 1905-08.

Arthur P. Duggan, LL. B., is the secretary of the Denton Trust Company, Denton.

Carl Cosmo Rice, M. A., 1899, and later Ph. D. of Harvard, is Associate Professor of Romance Languages in the University of Idaho. Dr. Rice has published, among other contributions to philology, a Dissertation on the Phonology of Gallic Clerical Latin after the Sixth Century.

W. H. Woods is county judge of McLain County, Okla.

1900

In the county attorney's office of Tarrant County are four University of Texas men: Ben S. Baldwin, of the Law class of 1900, is first assistant, and W. B. Ammerman, J. M. Brown, and Geo. E. Hosey, of later classes, are also assistants.

C. L. Reynolds, Ph. G., is a prominent druggist at Temple.

Arthur Lee Oliver, LL. B., is a member of the Missouri State Senate. His address is Comthersville, Mo.

Oscar Callaway, LL. B., is a member of Congress from the Twelfth Congressional District of Texas.

1901

Franklin Hans Smith, M. A., is teacher of Mathematics in the Eastern District High School, Brooklyn, N. Y.

Mrs. Robbie (Davis) Matlock, a graduate of the Academic Department and of the Medical Department, lives now at Frost. She has two children, a girl and a boy, aged three years and fifteen months, respectively.

Rev. W. H. Matthews, A. B., pastor of the Presbyterian Church of Del Rio, writes thus, under date of February 9, 1911: "Married, June 30, 1910, to the finest girl in Texas. Am talking University of Texas to school children here."

John W. Scott, LL. B., is county attorney of Harrison County.

Joseph D. Shaw, B. S., and later M. E., Cornell, is now a member of the enterprising firm of Fountain-Shaw Engineering Co., Dallas.

1902

M. Brown Volney, LL. B., is practicing law at El Paso.

Leslie C. Audrain, M. D., is practicing medicine at Blanco, Cal.

E. P. R. Duval, M. A., and later M. A. of Harvard University, is as present Associate Professor of Mathematics in the University of Oklahoma.

Ed. R. Campbell, LL. B., resigned April 1, 1910, as judge of the Criminal District Court of Galveston and Harris Counties, to enter the firm of Fisher, Sears & Campbell, Attorneys, 708 Stewart Bldg., Houston.

1903

Richard H. Kimball, a graduate of the Academic Department, and of the United States Military Academy, West Point, in 1907, is now an officer in the United States Army. He is at present stationed at San Antonio.

Blake Ashby Carter, LL. B., is county attorney of Raines County.

W. J. True, LL. B., is practicing law in Pittsburg, Kansas.

Jas. M. Whatley holds the office of county attorney of Cottle County. His address is Paducah.

Miss Martha A. Wood, graduate of the Medical Department, is Pathologist of the Houston Chemical Laboratory, Houston.

1904

Dr. J. P. Simonds is superintendent of the Indiana State Board of Health, Indianapolis.

Geo. C. Butte, M. A., a practicing attorney of Muskogee, Okla., is planning, together with Kent V. Gay, of McAlester, Okla. (of the class of 1903), to organize an Oklahoma branch of the University of Texas Alumni Association. These men are much interested in the welfare of their alma mater, and as there are a large number of alumni and ex-students in Oklahoma, it is hoped that the organization will be perfected.

James Lee Robinson, B. Lit., took his M. D. degree in the Johns Hopkins Medical School in 1908. He is now a physician in the United States Army, stationed at San Antonio.

Harry Peyton Steger, who took his B. A. and M. A. from this University, is now with Doubleday, Page & Co., publishers, New York. Mr. Steger was married, June 9, 1910, to Miss Dorothy Jane McCormack.

W. Owen Washington, C. E., was married on October 17, 1910, to Miss Bernice Haskell of Greenville.

W. O. Wright, A. B., is in the mercantile business in Megargel. He is president of the First National Bank of that place.

Paul Randolph Stalnaker, graduate of the Medical Department, now Health Officer, Island of Culebra, Porto Rico, was married in 1909 to Miss Florence D. West, an ex-student of the University.

1905

Miss Amanda Julia Estill, M. S., is teaching in the Fredericksburg High School.

Ludwig Reinhold Geissler, B. Lit., took his Ph. D. in 1909 at Cornell University. He was Instructor in Psychology at Cornell during the year 1909. In June, 1909, he was married to Miss Sara M. Steele, of Mississippi.

Miss Harriet Smither is a teacher of History in the Cleburne High School.

1906

Lawrence Montgomery, LL. B., was married, December 8, 1910, to Miss Musidore Rowntree, a former student of the University.

Walter S. Thomas, M. D., is Assistant Pathologist in the Mountainside Hospital, Montclair, N. J. For several years he was a student in the Johns Hopkins Medical School, where he held several prominent positions,—Assistant in Surgical Pathology, Fellow in Pathology, and Assistant in Pathology.

Arthur Mathis, B. S., holds the position of assistant cashier in the First National Bank at Rockport. He has recently married.

1907

Miss Pearl B. Gans, B. A., is teaching Latin in the Longview High School.

Alcan Hirsch, B. A., is doing graduate work in Chemical Engi-

neering in the University of Wisconsin. He expects to receive his Ph. D. degree this summer.

1908

Helman H. Weinert, LL. B., is mayor of Seguin.

John Levi Sheppard, of the Law class of 1908, after studying law in the New York Law School during the session of 1909-10, is practicing law at 63 Wall Street, New York City.

1909

Rawlins Murrell Colquitt, A. B., is with the Guarantee Life Insurance Co., Houston. He is superintendent of agents.

Robert Benjamin Wear, B. A., at present General Secretary of the Y. M. C. A., Virginia Polytechnic Instittue, expects to attend next year the Yale Divinity School.

Fred W. Householder, M. A., is practicing law at Wichita Falls.

Miss Edna Haynes McCormick, B. A., is assistant teacher of Mathematics in St. Mary's College, Dallas.

1910

R. A. Hall, LL. B., is assistant county attorney of Harrison County.

THE ACADEMY OF SCIENCE

The program of the Texas Academy of Science for the Winter Quarter, 1911, was successfully carried out. On Friday evening, January 27, Dr. H. H. Newman, Professor of Zoology, and Dr. J. T. Patterson, Instructor in Zoology, in the University, gave a joint illustrated paper on "The Development of the Nine-Banded Armadillo and Some of Its Biological Bearings."

The point of special interest in the biology of the armadillo lies in its peculiar method of development. Doctors Newman and Patterson have found out that the Texas armadillo normally gives birth to four young, and that the individuals of any given litter are invariably of the same sex, that is, they are either all males or all females, never mixed. They have further found that the four young come from one fertilized egg, instead of each embryo springing from a separate egg, as normally occurs in the other mammals that habitually bring forth more than a single young at a litter. From these discoveries they have been able to make material contributions toward the solution of the interesting and popular question of sex-determination, in that they have been able to show that the sex is a character stamped upon the embryo at the time of fertilization, and in every way is a character subject to the laws of hereditary transmissibility.

The meeting of February 17 was styled the "William James Memorial Meeting." Dr. Bird T. Baldwin, Associate Professor of Education in the University, presented a paper on "His Life and

Educational Influence," and Dr. C. S. Yoakum, Instructor in Philosophy, discussed "His Philosophy." The excellent list of Professor James's writings, prepared by Dr. Baldwin, was a special feature of this meeting.

On March 31 two papers by Mr. E. T. Dumble, of Houston, formerly State Geologist, were read by title. Their subjects were: "The Middle and Upper Eocene of Texas" and "The Carrizo Sands." At this meeting Dr. J. M. Kuehne, Adjunct Professor of Physics in the University, lectured on "The Isolation of the Ion." As usual, the meetings were held in Room 31, Engineering Building.

Volume XI of the Transactions of the Academy is now in the hands of the printer, and will probably be ready for distribution about the time of the May meeting. F. W. S.

INDEX

Academy of Science, 258-260, 388-389.

Address on Behalf of the Alumni, Holland Edwards Bell, 181-184.

Address on Behalf of the Faculty, John C. Townes, 177-181.

Address on Behalf of the Students, Luther Sidney Hoffman, 184-185.

Addresses Delivered on the Presentation to the University of the Portraits of Charles Durand Oldright and George W. Brackenridge, 323-335.

Advanced Students, Work of, 151-152.

Affiliations, Additional, 58.

Affiliations, Withdrawn and Extended, 60.

Alumni Day, 140-141.

Alumni Notes, 66-68, 380-388.

Ashbel Literary Society, 63.

Ashby, Stanley Royal, The Oxford System of Education, 21-38.

Athenaeum Society, 252.

Athletics, 169-174, 257-258, 379-380.
- Awarding of T's, 174.
- Baseball, 169-171.
- Tennis, 173.
- Track, 171-173.

Baldwin, Bird Thomas, Life Sketch of, 201-202.

Band, 50, 130.

Barbecue, The Legislative, 344-346.

Barker, E. C., Article by, in *Dallas News* and *Galveston News*, 230; *George Pierce Garrison: an Appreciation*, 190-194; *Some Causes of the Texas Declaration of Independence*, 336-341.

Bell, H. E., *Address on Behalf of the Alumni*, 181-184.

Benedict, H. Y., Chosen President of University Club, 53.

Bibliography of Articles by the Faculty, 69-73, 369-371.

Bibliography of Dr. Garrison's Writings, 195-196.

Blankenship, Albert Silvanus (Life Sketch of), 206.

Board of Regents, The New, 346-349; Transactions of, 160-166.

Bolton, H. E., Called to Leland Stanford, 52.

Brackenridge, Col. George W., Resigns as Regent, 346; Portrait of, Presented to the University, 359.

Bray, W. L., Bulletin on Misletoe, 53.

Brown, Denton Jacobs, Life Sketch of, 208.

Bulletin for the Press, 229.

Burges, Regent W. H., Life Sketch of, 347.

Butler, Pierce, at Tulane, 52.

Cactus, 65.

Calendar of the Fall Term (1910) at Austin, 197-198.

Calendar of the Spring Term (1910) at Austin, 126-127.

Calendar of the Winter Term (1910, 1911) at Austin, 39, 342-343.

Calhoun, J. W., Marriage of, 229.

Catalogue, Alterations in, 58-59.

Cechie Society, The, 256-257.

Changeless Ideal, The, Hon. Charles H. Shaw, 96-115.

Charles Durand Oldright Fellowship in Philosophy, 127-129.

Choral Club, 50.

Cochran, Bessie, Life Sketch of, 207.

College of Arts, Reorganization of, 156-157.

Commencement of 1910, 138-147.

Commencement Address (1910), Hon. Cecil H. Smith, 116-125.

Commencement Day (1910), 142.

Commencement Sunday (1910), 139.

Conservation of National Resources, Charles R. Van Hise, 79-84.

Cook, Regent Fred W., Life Sketch of, 347.

Co-operative Society, 131-134; 222-224.

Cowboy Songs of the Mexican Border, John Avery Lomax, 304-322.

Coyote, 65.

Curtain Club, Annual Play of, 46, 375-376.

Debates, Inter-society, 62.

Department of Engineering, 367-369.

Deussen, A., on Board of Engineers at Dallas, 229.

Dibrell, Judge J. B., 346.

Diploma Fee, 157.
Economic and Political Science Association, The, 48-49.
Education, Department of, 148-151, 231-233.
Education, Department of, Registration for Fall Term (1910), 231.
Elections, Student, 169.
Ellison, Lee, Life Sketch of, 207-208.
Engineering Annual Reception by Department of, 233-234.
Engineering, Civil, 367-368.
Engineering, Department of, 152-156, 233-234, 367-369.
Engineering, Department of, Open House, 233-234.
Engineering, Electrical, 57; 155-156; 368-369.
Extension, Department of, 40-45; 224-226.
Extension, Lecture Division of the Department of, 42.
Faculty, Activities During Vacation, 135.
Faculty Changes, 199-201; 231.
Faculty Losses, 127; 154.
Faculty, Matters of Public Interest from Minutes of, 58-60, 156-160, 243-244, 369-371.
Faculty Members, Books and Magazine Articles by, 69-73, 238-243.
Faculty, Outside Activities of, 149-150; 232-233.
Fall Term, Work of, 198-199.
Farrington, F. E., Resignation of, 150.
Faust, Regent Joseph, Life Sketch of, 347.
Final Ball, 147.
Final German, 147.
Fortnightly Club, 48, 131, 222.
Fraternities, 253-254.
Garrison, Dr. G. P., Bibliography of Writings of, 195-196; Memorial Exercises in Honor of, 177-189; An Appreciation of, 190-194.
Gary, H., Resignation of, 230.
General Notes, 39-53, 197-231, 126-138, 342-365.
German Play Given by Germania Literary Society, 45, 376-377.
Gilbert, Cass, Selected as University Architect, 40.
Girls' Choral Club, 129.
Glee Club, 50, 129.
Graduates for the Session of 1909-1910, 142-145.
Griffith, Dr. R. H., Honored, 134-135.
Hale, W. T., at Columbia University, 229.
Haney, L. H., Life Sketch of, 202.
Heald, F. D., Trip East, 52.
Hilliard, H. P., Recent Gifts to the Library, 54.
Hoffman, Luther Sidney, *Address on Behalf of the Students*, 184-185.
Huntington, A. M., Recent Gift to the Library, 54.
Independence Day Celebration (1911), 358-359.
Instructors, New, 201-208.
Johnson, A. S., Called to University of Chicago, 52.
Kirby, Regent John H., Life Sketch of, 346.
Knight of the Burning Pestle, Presented by the Curtain Club, 46.
Krey, August Charles, Life Sketch of, 204-205.
Kuehne, H. F., Life Sketch of, 204.
Kuehne, H. F., Summary of Address by, 357-358.
Lavendar, Roberta, Granted Leave of Absence, 60.
Law, Department of, 234-236.
Law Work Counting Toward A. B. Degree, 59.
Lectures by Faculty, 221-222, 354-358.
Lectures During Spring Term (1910), 129.
Legislature, The University and, 343-346.
Library Building, New, 216-221.
Library Building, New, Picture of, Facing, 216; Plans for, 217.
Library, Gifts to, 54, 365.
Library Notes, 365-367.
Library, Recent Purchases by, 54.
Literary Societies, Girls', 62-64, 253.
Literary Societies, Men's, 374-375.
Littlefield, Regent George W., Life Sketch of, 347-348.
Livesay, Henry Gay, Life Sketch of, 206.
Lomax, John Avery, *Cowboy Songs of the Mexican Border*, 362-364; Life Sketch of, 203-204.
Magazine, The, 65.
Manning, W. R., Life Sketch of, 202-203; Summary of Address by, 354-357.
March 2nd Celebration, 47-48, 358-359.
Marsh, Frank Burr, Life Sketch of, 205.
Martin, E. S., *The Things that are Worth While*, 5-20.
Masquerade Ball at University Club, 51-52.
Masqueraders, The, 130, 168.

Matters of Public Interest from the Minutes of the Faculty, 369-371.
Medical Fee for Men, 40.
Medicine, Department of, 236-238.
Medicine, Department of, Athletics in, 236.
Medicine, Department of, Graduating Class of 1911, 238.
Medicine, Department of, Interneships of Class of 1910, 237-238; Requirements for Admission, 59.
Memorial Addresses Delivered on the Occasion of the Garrison Memorial Exercises, 177-185.
Memorial Resolutions, 186-189.
Mines, School of, 58.
Miscellaneous Notes, 51-53, 137, 229-231.
Modern Greece, Lecture by Dr. Battle at Waco, 53.
Montgomery, T. H., at University of Pennsylvania, 52.
Music, 49-50; 128-130.
Neffe als Onkel, Der, German Play Presented by Germania Literary Society, 45.
Oldright, Charles Durand, Portrait of, Presented to the University, 359; Fellowship in Honor of, 127-129.
Orchestra, 130.
Organization and Operation of a Law School, John C. Townes, 261-283.
Ousley, Regent Clarence, Life Sketch of, 348.
Oxford System of Education, The, Stanley Royal Ashby, 21-38.
Parker, E. B., Address on Presentation of Portrait of Charles Durand Oldright, 331-335; Letter of, to Alumni, 380-382.
Penick, Daniel Allen, *What the Classicists Think of the Classics*, 284-303.
Phelps, Prof. W. L., Lecture of, 353-354.
Phi Beta Kappa, Initiates, 46.
Pierian Literary Society, 64.
Porter, M. B., Address at Presentation of Portrait of Charles Durand Oldright, 323-324; at the National Conservation Congress, 229.
Portrait of Charles Durand Oldright, Presentation to University, 359.
Portrait of Col. George W. Brackenridge, Presentation to University, 359.
Potts, C. S., Bibliographies and Travelling Libraries on Prohibition and Penitentiaries, 42; *Railroad Transportation*, an Appreciation of, 135-137.
Prohibition and Penitentiaries, Bibliography and Travelling Libraries on, 42.
Publications, Faculty, 69-73, 369-371; Student, 65.
Ramsdell, C. W., Review of his *Reconstruction in Texas*, 359-362.
Reagan Literary Society, 63-64.
Reed, A. G., at Louisiana State University, 52.
Regents, Board of, Transactions, 60, 160-166, 245-247, 372.
Regents, New Board of, 346-349.
Regents' Report, 209-216.
Registration for 1909-1910, 148.
Rice, Rev. John A., *Selfhood and Service*, 85-95.
Riker, Thad W., Life Sketch of, 205-206.
Roosevelt, President, Visit of, 349-353.
Rusk Society, 252-253.
Rusk-Athenaeum Debate, 62.
Sanger, Regent Alex, Life Sketch of, 348.
Selfhood and Service, Rev. John A. Rice, 85-95.
Sembrich, Marcella, Recital by, 49, 130.
Shaw, Hon. Charles H., *The Changeless Ideal*, 96-115.
Sidney Lanier Literary Society, 63.
Simonds, F. W., at University of Chicago, 229.
Smith, Hon. Cecil H., Commencement Address (1910), 116-125.
Social Life at University, 227-228, 377-379.
Some Causes of the Texas Declaration of Independence, Eugene Campbell Barker, 336-341.
Sororities, 64, 254-256.
Stark, Regent W. H., Life Sketch of, 348.
Stedman, Regent N. A., Life Sketch of, 348-349.
Stillwell, Henry Wesley, Life Sketch of, 207.
Student Interests, 60-65; 166-174; 247-258; 373-388.
Summer Schools of 1910, 208-209.
Sutton, W. S., Leave of Absence of, 231.
Taylor, T. U., on Board of Engineers at Dallas, 229; Trip to Northern Universities, 55.

Teachers' Committee, Work of, 148-149.
Terrell, A. W., Address at Presentation of Portrait of George W. Brackenridge, 324-330.
Texas Academy of Science, 174-176, 258-260, 388-389.
Texas State Historical Association, 68-69.
Things that are Worth While, The, Edward Sanford Martin, 5-20.
Townes, John C., *Address on Behalf of the Faculty*, 177-181.
Townes, John C., *Organization and Operation of a Law School*, 261-283.
Tyler, Richard Gaines, Life Sketch of, 206.
University and the Legislature, 343-346.
University Club, 51; 230-231.
Van Hise, Charles R., *Conservation of National Resources*, 79-84.
Violin Club, 129-130.
Webster, W. C., Called to Marquette University, 53.
Whale Captured Near Sabine, 51-52.
What the Classicists Think of the Classics, Daniel Allen Penick, 284-303.
Wheeler, W. M., at Harvard, 52.
Windsor, P. L., Called to University of Illinois, 52.
Young, Mary S., Life Sketch of, 207.
Young Men's Christian Association, 60-61, 166-167, 247-250, 373-374.
Young Women's Christian Association, 61-62, 167-168, 280-281.

THE UNIVERSITY OF TEXAS BULLETIN.

(*Continued from inside front cover*)

7. *Railroad Transportation in Texas*, by C. S. Potts. 214 p., 6 maps, charts. March, 1909. $1.50.
8. *Crime and the Treatment of the Criminal*, by C. S. Potts. 86 p. May 1, 1910. 25 cents.
10. *Problems of Prison Reform*, by C. S. Potts. 40 p. December 8, 1910. 20 cents.
11. *Recognition of the Republic of Texas by the United States*, by Ethel Zivley Rather. 101 p. January 1, 1911. 75 cents.
12. *English Elements in Jonson's Early Comedy*, by Charles Read Baskervill, 328 p. April 8, 1911. $2.50.

MEDICAL SERIES

1. *Yellow Fever: a Popular Lecture*, by James Carroll. 32 p. June, 1905. 15 cents.
2. *The Care of the Insane*, by Dr. M. L. Graves. 16 p. 1905. 15 cents.
3. *The 1903 Epidemic of Yellow Fever in Texas and the Lessons to Be Learned from It*, by Dr. G. R. Tabor. 22 p. June, 1905. 15 cents.
4. *Further Experiments in the Use of Drugs as Stimulants in Accidents Occurring During Anaesthesia*, by O. H. Plant, 31 p. February 8, 1911. 25 cents.

SCIENTIFIC SERIES

6. *Vegetation of the Sotol Country in Texas*, by W. L. Bray. 24 p., pl. June, 1905. 25 cents.
7. *Observations on the Habits of Some Solitary Wasps of Texas*, by Carl Hartman. 72 p., pl. July, 1905. 25 cents.
10. *Distribution and Adaptation of the Vegetation of Texas*, by W. L. Bray, 108 p., pl. map. November, 1906. 35 cents.
11. *A Sketch of the Geology of the Chisos Country*, by J. A. Udden. 101 p. April, 1907. 50 cents.
12. *The Clays of Texas*, by Heinrich Ries, 316 p., illus. pl. 1908. $2.00.
13. *The American Mistletoe*, by H. H. York. 31 p., pl. 1909. 50 cents.
14. *Symptoms of Disease in Plants*, by F. D. Heald. Illus. November, 1909. $1.00.
15. *Field Studies of the Behavior of the Lizard Sceloporus Floridanus*, by H. H. Newman and J. Thomas Patterson. 23 p., illus. December, 1909. 25 cents.
16. *The Austin Dam*, by T. U. Taylor, 85 p., illus. December 22, 1911. 75 cents.
17. *On the Electrostatic Effect of a Changing Magnetic Field*, by J. M. Kuehne. 15 p. January 15, 1911. 25 cents.
18. *Fauna of the Buda Limestone*, by Francis Luther Whitney. 54 p., illus. May 22, 1911. $1.00.

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